

CITY COUNCIL REPORT



Meeting Date: November 13, 2023
General Plan Element: *Land Use*
General Plan Goal: *Create a sense of community through land uses*

ACTION

The Parque 13-ZN-2022

Request to consider the following:

1. Adopt Ordinance No. 4612 for a zoning district map amendment from General Commercial (C-4) to Planned Airpark Core Development - Airpark Mixed Use Residential, Planned Shared Development Overlay (PCP-AMU-R PSD) including a development plan with bonus development standards for building height and floor area ratio to allow a mixed-use development with approximately 1,236 dwelling units, 223 hotel keys, and 253,000 square feet of commercial floor area on a +/- 32.29 gross acre site located at 16001 N. Scottsdale Road.
2. Adopt Resolution No. 12936 declaring "The Parque Development Plan" as a public record.
3. Adopt Resolution No. 12937 authorizing Contract No. 2023-144-COS.

Goal/Purpose of Request

The applicant's request is to redevelop the 32-acre property with a mixed-use development.

Key Items for Consideration

- Conformance with Scottsdale General Plan 2035, as amended
- Conformance with the Greater Airpark Character Area Plan, as amended
- Bonus Site Development Standards for Floor Area Ratio and Building Height
- Redevelopment and investment in an underutilized site in the Airpark Area
- Airport Advisory Commission heard this case on June 21, 2023 and recommended approval with stipulations, with a 5-0 vote
- Planning Commission heard this case on September 27, 2023 and recommended approval with a 6-0 vote

OWNER

CrackerJax Land Company, LLC
(310) 990-4541

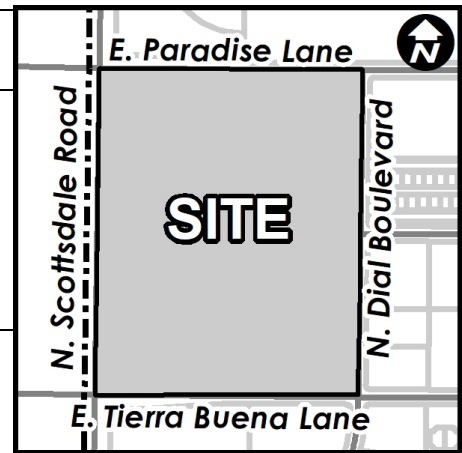
Action Taken _____

APPLICANT CONTACT

John Berry
Berry Riddell
(480) 385-2727

LOCATION

16001 N Scottsdale Rd



BACKGROUND

City of Scottsdale General Plan 2035

The City of Scottsdale General Plan 2035 Future Land Use Map designates the property as Mixed-Use Neighborhoods within the Regional Use Overlay category. Mixed-Use Neighborhoods focus on human-scale development located in areas with strong access to multiple modes of transportation and major regional services. These areas accommodate higher-density housing with complementary office or retail uses. Mixed-Use Neighborhoods are most suitable near and within Growth and Activity Areas and may be non-residential in the Greater Airpark Character Area. The Regional Use Overlay provides flexibility for land uses when it can be shown that new land uses are viable in serving a regional market. Regional uses include, but are not limited to, corporate office, region-serving retail, major medical, educational campus, community service facilities, tourism, and destination attractions. In determining whether proposed land uses are regional in nature, the city will consider whether the use has a regional draw, fulfills current economic development policies, enhances the employment core and the city’s attractiveness to regional markets, benefits from good freeway access, and complements the established character for the area.

The subject site is located within the General Plan 2035 designated Greater Airpark Growth Area. Growth Areas are specific locations within the community that are most appropriate for development focus, and will best accommodate future growth, new development, and redevelopment.

Greater Airpark Character Area Plan

The Greater Airpark Character Area Plan (GACAP) designates the property as Airpark Mixed Use-Residential (AMU-R) within the Regional Core Development Type. AMU-R areas are appropriate for the greatest variety of land uses in the Greater Airpark and may include a combination of personal and business services, employment, office, institutional, cultural amenities, retail, hotel, and higher density residential. Developments in AMU-R areas should be pedestrian-oriented, have access to multiple modes of transportation, and should be located outside of the Airport’s 55 DNL contour. Residential and other sensitive uses should be a minor component of development and include adequate sound attenuation. Within the GACAP, Development Types help define the size and scale of development. The Regional Core Development Type denotes areas appropriate for the greatest development intensity to support major regional land uses, served by high-capacity transit or a freeway.

Zoning

The site is currently zoned General Commercial (C-4) district and has a Conditional Use Permit for an amusement park. The C-4 district provides space for the heaviest type of commercial activities found in the city, including light manufacturing, warehousing, wholesaling and vehicle leasing, rental, sales and repair. This district provides opportunities for light industrial uses to sustain and enhance the community's economic viability and employment opportunities.

A General Plan Amendment application (8-GP-2011) was approved by City Council in October 2011 for the subject site amending the Greater Airpark Character Area Plan from Airpark Mixed Use (AMU) to Airpark Mixed Use-Residential (AMU-R), allowing for the addition of residential uses to the existing mixed-use designation. Although the 2011 amendment application did not include a companion rezoning case, it was laying the groundwork for future redevelopment of the subject site with a mixed-use development including residential, hotel & commercial land uses.

The requested zoning of Planned Airpark Core Development is intended to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the Greater Airpark Character Area. The proposed mixed-use development is consistent with the 2011 General Plan Amendment and is carrying out the goals and policies set forth in the Greater Airpark Character Area Plan.

Context

The subject property consists of +/- 32-acres located on N. Scottsdale Road, extending east to N. Dial Boulevard/73rd Street and stretching between E. Paradise Lane and E. Acoma Drive. The site is approximately ¼ mile south of E. Frank Lloyd Wright Boulevard, south of the Promenade shopping center. The area includes a mix of retail, office, service, travel accommodations, and residential uses. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: The Promenade Shopping Center, zoned Planned Regional Center (PRC) district.
- South: Gas station, car wash, travel accommodations, zoned Highway Commercial (C-3) district.
- East: Office, industrial, services uses, zoning Industrial Park (I-1) district.
- West: City of Phoenix, furniture store, multi-family residential.

Other Related Policies, References:

- Scottsdale General Plan 2035, as amended
- Greater Airpark Character Area Plan, as amended
- Zoning Ordinance
- 8-GP-2011: Non-Major General Plan Amendment to the Greater Airpark Character Area Plan Future Land Use Map changing the subject site from Airpark Mixed Use (AMU) to Airpark Mixed Use-Residential (AMU-R).

APPLICANT'S PROPOSAL

Development Information

The development proposal includes a new mixed-use development with approximately 1,236 dwelling units, 223 hotel keys, and 253,000 square feet of commercial floor area, including office and

restaurant uses. These proposed uses are allocated throughout 12 buildings on the site with internal circulation drives and pedestrian routes around and between the buildings, focusing on a central open space area the applicant is calling the Central Park. The Central Park is one of the focal points of the project, providing +/- 2-acres of open space that will be open to Scottsdale residents and visitors. The proposed buildings on the site will range in height from 1- to 10-stories, with building setbacks ranging from 25 feet to 70 feet along the four street frontages. After the setback line, the building massing will start stepping back with a 1:1 ratio at a height of 38 feet, consistent with the requirements of the PCP district. The proposed building stepbacks and range of building heights will create variation and break up the overall mass of the development.

Perimeter public improvements and amenities include new 8-foot-wide sidewalks detached from the curb, landscaping, and open space areas along the adjacent public streets, with focus on enhancing the corners at the street intersections. The perimeter sidewalks will be located in the setback area with buffers provided from the streets and a landscape setting adjacent to the buildings. Interior to the development, a network of sidewalks, landscaping, and open space provides easy and comfortable pedestrian circulation throughout the private streets and along the building frontages.

Vehicular access to the site is provided from all four street frontages. Internal circulation is provided through private street tracts, with access to on-street parking throughout the development as well as structured parking within most of the buildings on the site. A parking structure is proposed on the south side of the development, fronting on E. Tierra Buena Lane. This parking structure will have an enhanced design and will also incorporate a green roof, solar, and amenities such as open space, a 'hikable' exterior stair, and yoga lawn.

With the project the developer will be providing several public realm improvements to serve the development and surrounding area. A summary of some of these improvements is listed below:

- Water conservation measures as specified in Contract No. 2023-144-COS
- New traffic signal at E. Tierra Buena Lane & N. Scottsdale Road
- New 8-foot-wide sidewalks detached from the curb around the entire perimeter of the development, with enhanced open space nodes at the project corners
- Workforce housing units (10% of total unit count) as specified in Contract No. 2023-144-COS
- New fully improved bus shelter on Scottsdale Road
- New streetlights along Tierra Buena, Paradise Lane, & Dial Boulevard
- New public realm open space and landscaping improvements
- Enhanced (Hybrid Beacon) pedestrian crossing mid-block on Paradise Lane
- Consideration of powerline undergrounding as specified in Contract No. 2023-144-COS

Project Data

- Existing Use: Vacant Amusement Park
- Proposed Use: Mixed-Use
- Buildings/Description: 12 buildings, 1 to 10 stories tall
 - Residential: 1,236 units, +/- 1,644,472 square feet

- Commercial: +/- 252,550 square feet
- Hotel: 223 keys, +/- 189,075 square feet
- Total Building Area: 2,086,097 square feet
- Parcel Size: 32.29 gross acres
- Building Height Allowed: 84 feet / 134 feet w/ Bonus
- Building Height Proposed: 119 feet w/ Bonus
- Parking Required: 3,206 spaces
- Parking Provided: 3,233 spaces
- Open Space Required: 338,082 square feet (7.76-acres)
- Open Space Provided: 442,232 square feet (9.69-acres)
- Floor Area Ratio Allowed: 0.8 / 2.0 w/ Bonus
- Floor Area Ratio Proposed: 1.73 w/ Bonus
- Density Allowed: Per Development Plan & FAR
- Density Proposed: 38.28 du/ac

PCP Bonus Site Development Standards

Pursuant to Zoning Ordinance Section 5.4008, the PCP district allows bonus development standards for specified requirements. To accommodate a mixed-use development, the applicant is requesting use of the Bonus Provisions to include additional Floor Area Ratio and Building Height. As outlined in the PCP District-Bonus Provision, the applicant shall demonstrate public benefit for the proposed bonus standards. In this case, the applicant seeks approval for 35 feet (84 feet to 119 feet) of bonus building height and 0.93 (0.8 to 1.73) of bonus floor area. In exchange, the developer has elected to contribute the required bonus payment amount to the Greater Airpark Special Improvement Trust Fund (GASITF) as an in-lieu payment. Based on the requested bonus standards, the required payments are \$493,710.00 for the building height and \$15,800,808.00 for the floor area, in accordance with the provisions of Contract No. 2023-144-COS. The GASITF funds shall be used exclusively for public improvements in the Greater Airpark Area. One improvement that is being considered for use of a portion of the bonus payment funds is undergrounding of the 69KV overhead powerlines along N. Scottsdale Road. The scope of undergrounding of the overhead powerlines is still under consideration but may include up to the full length of overhead lines from E. Thunderbird Road to E. Frank Lloyd Wright Boulevard.

Development Agreement

As discussed above, the applicant is requesting to utilize bonus provisions to achieve additional building height and floor area ratio. Along with the Development Plan, the terms of these bonus provisions are specified in a development agreement between the city and the developer. In addition to the bonus standards, the city and developer are considering terms related to timing of construction, water conservation, workforce housing, and powerline undergrounding.

Conditional Zoning

Per the terms of the development agreement, if the developer does not commence construction within seven (7) years of the effective date of the contract, the developer agrees that the zoning on the property will revert back to the zoning that was previously on the property (C-4).

Water Conservation

To help mitigate water usage for the proposed development, the developer is proposing to implement a new concept for water capture and conservation and has developed concepts to allow the stormwater generated on the property to be routed into the City's sanitary sewer collection system if and as allowed by the City. The proposed concept would capture the stormwater and allow the city to treat and reinject water back into the aquifer.

Workforce Housing

The proposed agreement includes that 10% of the proposed for lease dwelling units be workforce housing units to be offered at reduced rent rates to tenants who cannot afford the market rates in the Phoenix metro area, including Scottsdale. The development plan proposes a total of 1,236 dwelling units. With approximately 980 units being for lease, this may be up to 98 workforce housing units. Per the applicant, to qualify for one of the workforce housing units, a prospective tenant will need to confirm a household income of between 80 and 120 percent of the average median income (AMI) in the Phoenix metro area. As the City has no program in place to enforce workforce housing, the developer or property manager would monitor the occupancy and income levels for the workforce units and provide an annual report to the City. The integration of workforce housing is encouraged for new multi-family developments, due to rising market rent rates in the Phoenix metro area.

The applicant proposes providing the workforce units for a period not to exceed 10 years. This provides a temporary opportunity for a limited amount of workforce housing, but at the end of the 10-year commitment, that reduction in market rental rates may be eliminated and those tenants could be displaced. Under that scenario, tenants who benefit from the reduced rents may expect the City to expand or continue the program, even though it is not the City's purview to do so.

Powerline Undergrounding

The subject site has overhead powerlines along the N. Scottsdale Road frontage; however, they are 69KV powerlines which are substantially more costly to underground and are typically handled in longer stretches than that of the subject site frontage. One special improvement that is being considered for use of a portion of the bonus payment funds is undergrounding of the 69KV overhead powerlines along N. Scottsdale Road. The scope of undergrounding of the overhead powerlines is still under consideration but may include up to the full length of overhead lines from E. Thunderbird Road to E. Frank Lloyd Wright Boulevard. If the city chooses, it may utilize a portion of the bonus payment funds for undergrounding of some or all of the referenced powerlines.

Planned Shared Development Overlay (PSD)

As part of the zoning district map amendment request the applicant is proposing to utilize the Planned Shared Development Overlay (PSD). The purpose of the PSD is to provide the opportunity for application of development standards to a property as defined by its perimeter rather than applying the standards to individual lots, tracts, and parcels within the perimeter of the development. This will allow for future subdivision of the property while maintaining the integrity of the approved

development plan. Consistent with the subdivision plan that is included within the Development Plan and as specified in Contract No. 2023-144-COS, transfer of development rights for certain development standards and obligations including but not limited to FAR, Open Space, and dwelling units may take place between parcels within the development. As a whole, the project will continue to conform to all development standards of the PCP District.

IMPACT ANALYSIS

Land Use

The proposed mixed-use development is consistent with the City of Scottsdale General Plan 2035, carrying out redevelopment of the site as was anticipated with the 2011 General Plan Amendment (8-GP-2011), where a non-major amendment to the Greater Airpark Character Area Plan from Airpark Mixed Use (AMU) to Airpark Mixed Use-Residential (AMU-R) was approved. This previous approval anticipated that residential use would be a component of the future redevelopment of the subject site. As stated previously, the subject site is located within the General Plan 2035 designated Greater Airpark Growth Area – locations within the community that best accommodate future growth. Residential development applications within these areas typically yield a density nearing 50 dwelling units per acre, and the applicant’s proposal includes a request for 38.28 dwelling units per acre. The Greater Airpark Character Area Plan (GACAP) provides more specific policy direction for this area of the community, consistent with the goals and policies of the General Plan. As such, the plan utilizes Development Types to guide the physical and built form of the area (Goal LU 4), noting that the tallest and most intense development intensities should be located within the Regional Core – where the subject site is located. Consequently, the Development Plan as proposed allows for a new, more intense development within this area of the Greater Airpark Character and Growth Area, including building height up to 119 feet and 1.73 Floor Area Ratio. The additional density combined with the commercial square feet, will allow for potential employment, services, amenities, and future residents seeking an urban, pedestrian-friendly environment.

The General Plan 2035 Growth Areas Element (Goal GA 3) and the GACAP Land Use Chapter (Policy LU 5.2) encourage open space areas as public amenities that benefit the community. Further, the General Plan 2035 Connectivity Element (Goal C 3 and corresponding policies) and GACAP Character & Design (Goal CD 2 and corresponding policies) and Community Mobility Chapters (Goal CM 6 and corresponding policies) encourage accessible and engaging bicycle and pedestrian connections. As such, the applicant’s development plan includes +/- 9.69-acres of open space – inclusive of a +/- 2-acre “central park” open space amenity that will be open to Scottsdale residents and visitors as well as a site layout conducive to pedestrian connectivity.

Airport Vicinity

The site is located approximately 0.78 miles northwest (perpendicular) of the Scottsdale Airport runway and within the AC-1 Airport Influence Zone, which allows for hotel and residential uses provided a fair disclosure statement and Avigation Easement is recorded as a condition of development or building permit approval. Since the site is located within the AC-1 Airport Influence Zone, the application was required to be presented and get a recommendation from the Airport Advisory Commission. On June 21, 2023, the Airport Advisory Commission unanimously voted for approval with a 5-0 vote with the stipulations that the site must receive, “Finding of No Hazard” from

the FAA 7460-1 Height Analysis, and that the height of any structures cannot penetrate the conical surfaces of FAA Part 77, and no red flashing lights should be required or installed on the buildings. The proposed development complies with these stipulations and has received the FAA 7460-1 determination, which did not require the use of red flashing lights.

Transportation

The site is bounded by Scottsdale Road, Paradise Lane, Dial Boulevard, and Tierra Buena Lane. Scottsdale Road is classified as a six-lane major arterial. Both Paradise Lane and Dial Boulevard are classified as two-lane minor collectors. Tierra Buena Lane is classified as a local commercial street. The intersection of Scottsdale Road and Paradise Lane is signalized. The site had previously been occupied by an amusement park/driving range/batting cage facility (CrackerJax).

The approval of the zoning district change for the proposed mixed-used development will result in an estimated 13,813 trips generated per day to and from the project site. The development is estimated to generate 960 a.m. peak hour trips, and 1,292 p.m. peak hour trips. This represents an increase of 13,363 daily trips over the existing CrackerJax site. Access to the proposed mixed-use development is provided from all four streets fronting the site. Approval of the zoning district map amendment and mixed-use development is anticipated to result in an increase of 3,400 vehicle per day (vpd) on Scottsdale Road (0.78 V/C), 3,000 vpd on Paradise Lane (0.61 V/C), and 3,600 vpd on Dial Boulevard (0.42 V/C). For the build out horizon year of 2025, within the study boundary there are eight intersections with poor levels-of-service (LOS E or F) either for the overall intersection operation or individual movements at the intersection. The service level of these intersections will not be impacted by the proposed development, with the exception of Scottsdale Road & Frank Lloyd Wright, which is projected to change from LOS D to E.

With the site development, the developer is required to install a traffic signal at the Scottsdale Road and Tierra Buena Lane intersection, improve the sidewalks along the public streets, and install an enhanced pedestrian crossing on Paradise Lane to facilitate pedestrian crossings to the existing shopping center to the north. No major street improvements are required as the streets are complete in this area.

Water/Sewer

The applicant provided Basis of Design reports for water and sewer, which have been accepted by the Water Resources Division. The City of Scottsdale is an Arizona Department of Water Resources designated provider with a 100 years Assured Water Supply and will supply water in accordance with City codes, ordinances, and the City's Drought Management Plan. All infrastructure upgrades necessary to serve this project will be completed by the applicant.

Water Conservation

To help mitigate water usage for the proposed development, the developer is proposing to implement a new concept for water capture and conservation and has developed concepts to allow the stormwater generated on the property to be routed into the City's sanitary sewer collection system if and as allowed by the City. The proposed concept would allow flexible capture of portions of the on-site stormwater for additional measured wastewater flow to the city for reuse purposes. The terms regarding implementation of this water conservation plan are further described in Contract No. 2023-144-COS.

Overhead Utility Lines

There are goals and policies that support the burial of existing overhead utility lines; the objective being to provide a public benefit and minimize visual impact. The General Plan 2035 (Growth Areas Element Goal 1, bullet 3 and Public Services and Facilities Element Goal 3, bullets 2 and 4) recommend and encourage burial of existing overhead utility lines, on-site and within utility easements as part of a redevelopment project. The subject site has overhead powerlines along the N. Scottsdale Road frontage; however, they are 69KV powerlines which are substantially more costly to underground and are typically handled in longer stretches than that of the subject site frontage. As previously discussed, one special improvement that is being considered for use of a portion of the bonus payment funds is undergrounding of the 69KV overhead powerlines along N. Scottsdale Road. The scope of undergrounding of the overhead powerlines is still under consideration but may include up to the full length of overhead lines from E. Thunderbird Road to E. Frank Lloyd Wright Boulevard.

Fire/Police

The Public Safety Department has reviewed the applications and finds that there is adequate ability to provide fire and police services for the proposed use. The nearest fire station is within 4.7 miles of the site and located at 20355 N. Pima Road. The subject site is served by Police District 4, Beat 15. As with any project that contributes to growth, the fire department and police department continually anticipate and evaluate resource needs for the city's budget process.

Open Space

The zoning ordinance requires 7.76-acres of open space for the site and the proposed development includes 9.69-acres of open space. The proposed open space is mostly distributed throughout the site and along the project's four street frontages, with approximately 2-acres of the provided open space centrally located in the "central park" open space amenity that will be open to Scottsdale residents and visitors.

School District Comments/Review

The Paradise Valley Unified School District has been notified of the proposal to serve the proposed residential density.

Housing Cost

Approval of the zoning district map amendment and development plan proposed by the applicant enables the construction of more housing and will introduce the opportunity for a mixed-use development into an existing underutilized commercial property. In conjunction with state law, staff has considered the scope of the zoning district map amendment and development plan, as well as aspects which would affect the cost of construction. Staff has not identified any factors that would substantially impact the cost to construct housing for sale or rent.

Community Involvement

The City of Scottsdale promotes public participation in the development of the built environment and has used multiple public outreach methods. The applicant has complied with the city's suggested best practices for public outreach.

Staff has received several general inquiries regarding the proposed development and one (1) email in support. Several emails have been received expressing concerns regarding water, density, height,

traffic, congestion, housing, and too many apartments. Public comments received have been included in Attachment 11 and 11A.

Significant Updates to Development Proposal Since Initial Outreach

During the review period of the development application the applicant made the following updates to the proposal:

- Initial outreach with the community discussed building heights of 134 feet and 1,510 dwelling units. Upon formal submittal to the city this was reduced to 119 feet and 1,236
- Increased sewer main capacities in Tierra Buena Lane and Dial Boulevard
- Added water conservation measures as specified in Contract No. 2023-144-COS
- The addition of a traffic signal at E. Tierra Buena Lane & N. Scottsdale Road
- Increased sidewalk widths throughout the development, including 8-foot-wide sidewalks detached from the curb around the entire perimeter of the development, with enhanced open space nodes at the project corners
- Added workforce housing units to the development (10% of total units) as specified in Contract No. 2023-144-COS
- Added fully improved bus shelter on Scottsdale Road
- New streetlights along Tierra Buena, Paradise Lane, & Dial Boulevard
- Added enhanced (Hybrid Beacon) pedestrian crossing mid-block on Paradise Lane

Community Impact

Approval of the Development Plan would allow for a new, more intense development within the Airpark Influence Area, including building height up to 119 feet, a Floor Area Ratio of 1.73 and an increase of residential density from what is currently allowed. The proposed mixed-use development is consistent with the Greater Airpark Character Area Plan and is carrying out redevelopment of an underutilized site, as contemplated in the 2011 General Plan Amendment (8-GP-2011). The Greater Airpark-Core and Growth Area anticipates greater building heights and scale in this location. The Development Plan provides appropriate building setbacks as a transition to the adjacent commercial properties. Community impacts by the proposed development will not likely create any significant adverse effects upon the surrounding developments or the community at large.

With the project, the developer will be providing several public realm improvements to serve the development and surrounding area. Additionally, the development's utilization of bonus provisions will result in a substantial bonus payment to the Greater Airpark Special Improvement Fund, which can be used by the city to pay for public improvements in the airpark area.

Policy Implications

Additional building height and floor area ratio, inclusive of rooftop appurtenances, as part of the Development Plan includes open space, pedestrian improvements, and accommodation for a transit facility located on N. Scottsdale Road. Approval of the proposed zoning district map amendment will enhance the opportunity for non-residential land uses to be integrated with new multi-family residential in a mixed-use setting that is compatible with the existing commercial uses in the area.

OTHER BOARDS & COMMISSIONS

Airport Advisory Commission

At their June 21, 2023 meeting the Airport Advisory Commission recommended approval with stipulations, with a 5-0 vote. Stipulations included: The site must receive, "Finding of No Hazard" from the FAA 7460-1 Height Analysis, and that the height of any structures cannot penetrate the conical surfaces of FAA Part 77, and that no red flashing lights be required or installed on the buildings.

Planning Commission

Planning Commission heard this case on September 27, 2023 and recommended approval with a 6-0 vote.

Staff's Recommendation to Planning Commission

Staff recommended that the Planning Commission find that the zoning district map amendment is consistent and conforms with the adopted General Plan, and make a recommendation to City Council for approval, per the attached stipulations.

STAFF RECOMMENDATION

Recommended Approach:

1. Adopt Ordinance No. 4612 for a zoning district map amendment from General Commercial (C-4) to Planned Airpark Core Development - Airpark Mixed Use Residential, Planned Shared Development (PCP-AMU-R PSD) including a development plan with bonus development standards for building height and floor area ratio to allow a mixed-use development with approximately 1,236 dwelling units, 223 hotel keys, and 253,000 square feet of commercial floor area on a +/- 32.29 gross acre site located at 16001 N. Scottsdale Road.
2. Resolution No. 12936 declaring "The Parque Development Plan" as a public record.
3. Adopt Resolution 12937 authorizing Contract No. 2023-144-COS.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Bryan Cluff
Planning & Development Area Manager
480-312-2258
E-mail: bcluff@ScottsdaleAZ.gov

APPROVED BY



Bryan Cluff, Report Author

10/25/2023

Date



Tim Curtis, AICP, Current Planning Director
Planning Commission Liaison
Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov

10/26/2023

Date



Erin Perreault, AICP, Executive Director
Planning, Economic Development, and Tourism
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

10/27/2023

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Ordinance No. 4612
 - Exhibit 1: Zoning Map
 - Exhibit 2: Stipulations
3. Resolution No. 12936
 - Exhibit 1: The Parque Development Plan
4. Resolution No. 12937
5. Contract No. 2023-144-COS
6. Existing General Plan Land Use Map
7. Greater Airpark Character Area Plan – Land Use Plan
8. Existing Zoning Map
9. Traffic Impact Summary
10. Community Involvement
11. Public Comment (Support)
- 11A. Public Comment (Opposition)
12. City Notification Map
13. September 27, 2023 Planning Commission Meeting Minutes



Context Aerial

13-ZN-2022



Close-up Aerial

13-ZN-2022

Attachment 1A

ORDINANCE NO. 4612

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 13-ZN-2022 FROM GENERAL COMMERCIAL (C-4) TO PLANNED AIRPARK CORE DEVELOPMENT - AIRPARK MIXED USE RESIDENTIAL, PLANNED SHARED DEVELOPMENT OVERLAY (PCP-AMU-R PSD) INCLUDING A DEVELOPMENT PLAN WITH BONUS DEVELOPMENT STANDARDS FOR BUILDING HEIGHT AND FLOOR AREA RATIO TO ALLOW A MIXED-USE DEVELOPMENT ON A +/- 32.29-ACRE SITE LOCATED AT 16001 N. SCOTTSDALE ROAD.

WHEREAS, the Planning Commission held a hearing on September 27, 2023; and

WHEREAS, the City Council has considered the probable impact of Zoning Ordinance 4612 on the cost to construct housing for sale or rent; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 13-ZN-2022.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a +/- 32-29-acre site located at 16001 N. Scottsdale Road and marked as "Site" (the Property) on the map attached as **Exhibit 1**, incorporated herein by reference from General Commercial (C-4) to Planned Airpark Core Development - Airpark Mixed Use Residential, Planned Shared Development Overlay (PCP-AMU-R PSD) zoning, and by adopting that certain document entitled "The Parque Development Plan" declared as public record by Resolution No. 12936 which is incorporated into this ordinance by reference as if fully set forth herein.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as **Exhibit 2** and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2023.


ATTEST:

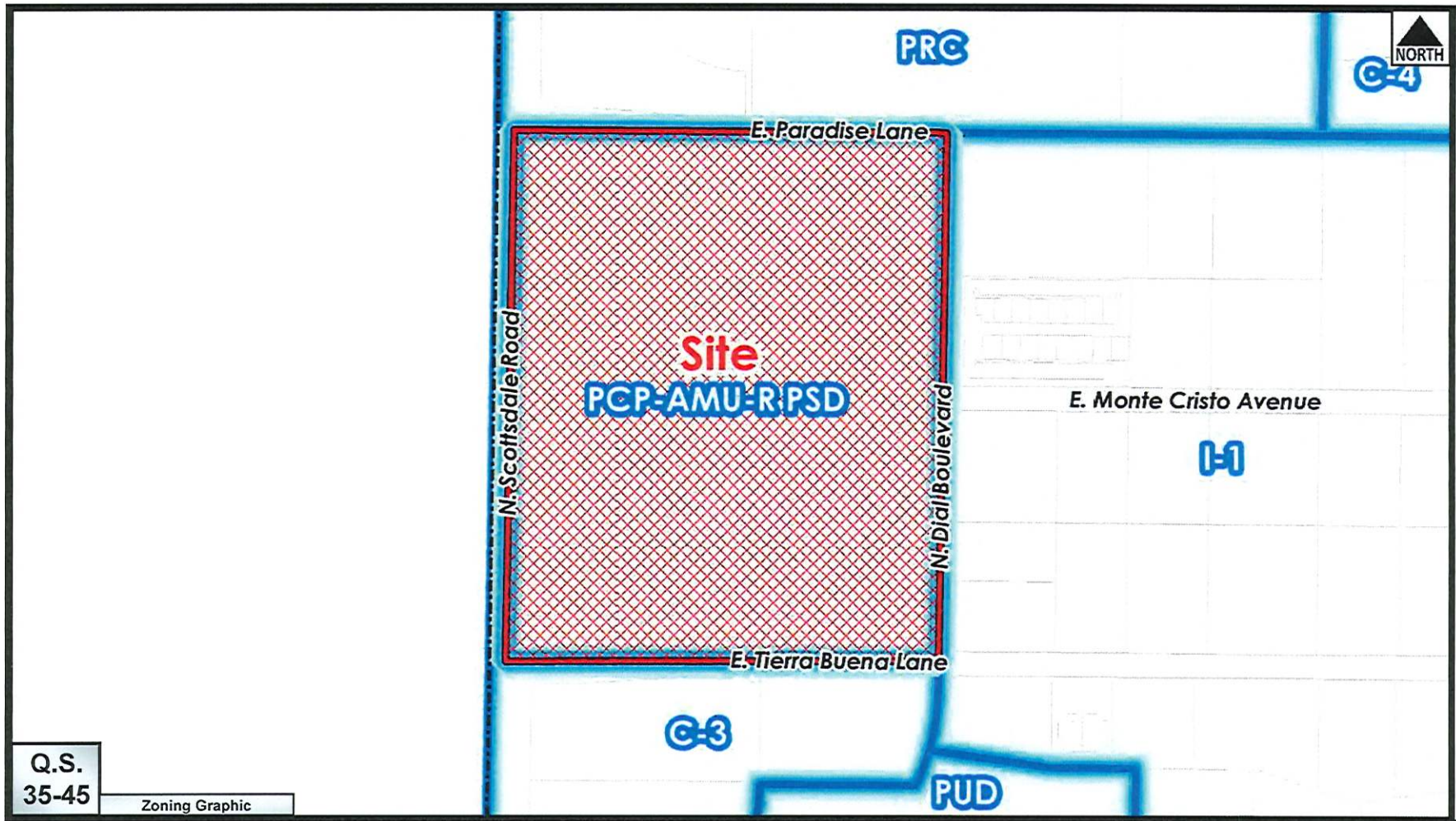
CITY OF SCOTTSDALE, an Arizona municipal corporation

By: _____
Ben Lane
City Clerk

By: _____
David D. Ortega
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



Q.S.
35-45

Zoning Graphic

Zoning

13-ZN-2022

Stipulations for the Zoning Application:

The Parque

Case Number: 13-ZN-2022

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

Revisions made at or after the Planning Commission meeting are shown with **Bold Letters** and ~~strikethrough~~.

SITE DESIGN

1. **CONDITIONAL ZONING.** If the developer does not commence actual physical construction (as more fully described in Contract No. 2023-144-COS) of the project within seven (7) years from the effective date of Contract No. 2023-144-COS (as defined herein) and Ordinance No. 4612, then the developer and any successor or assign (as property owner) shall apply to cause the property to be rezoned to apply the zoning that existed on the property immediately prior to adoption of Ordinance No. 4612. Further, if the owner does not make such an application for such rezoning within six (6) months of the deadline by which the developer was to commence construction, then the City may undertake the rezoning on behalf of the property owner pursuant to the terms of Contract No. 2023-144-COS.
2. **CONFORMANCE TO DEVELOPMENT PLAN.** Development shall conform with the Development Plan, entitled "The Parque Development Plan," which is on file with the City Clerk and made a public record by Resolution No. 12936 and incorporated into these stipulations and ordinance by reference as if fully set forth herein. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council. Where there is a conflict between the Development Plan and these stipulations, these stipulations shall prevail.
3. **CONFORMANCE TO DEVELOPMENT AGREEMENT.** Development shall conform with the associated Development Agreement, Contract No. 2023-144-COS (approved by Resolution No. 12937). **In interpreting the meaning of these stipulations and Contract No. 2023-144-COS, if there is deemed any conflict or ambiguity between their terms, the Zoning Administrator and any other competent authority may rely on any of the more specific provisions of Contract No. 2023-144-COS in determining the proper interpretation of such terms.** The property owner shall provide special public improvements and/or make an in-lieu payment into the Airpark Special Improvement Fund in accordance with the Development Agreement, including requirements for timing of completion of special public improvement and/or equivalent payments. ~~Proposed special public improvements are subject to the approval of the Zoning Administrator. Should the Development Agreement not become effective, or if the Developer does not comply with the terms of the Development Agreement, the bonus for building height and floor area ratio as set forth in the Development Plan shall become null and void. Any change to the Development Agreement shall be subject to City Council approval.~~
4. **MAXIMUM DWELLING UNITS – DENSITY.** Maximum dwelling units shall not exceed 1,236 dwelling units (equivalent to 38.28 du/gross acre of the Development Plan).
5. **MAXIMUM FLOOR AREA/BONUS FLOOR AREA.** The maximum floor area for the Development Plan shall not exceed 2,086,097 square feet (1.73 FAR). The 2,086,097 square feet includes 1,207,435

Ordinance No. 4612

Exhibit 2

Page 1 of 5

square feet of bonus floor area. **Pursuant and subject to A.R.S. Section 9-462.04**, Any increase in the bonus floor area shall be subject to additional action and public hearings before the Planning Commission and City Council and modification of the associated Development Agreement.

6. **MAXIMUM BUILDING HEIGHT/BONUS BUILDING HEIGHT.** No building on the site shall exceed 119 feet in height, inclusive of mechanical equipment (the 119 feet of height includes 35 feet of bonus building height), measured as provided in the applicable section of the Zoning Ordinance. Any increase in the bonus building height shall be subject to additional action and public hearings before the Planning Commission and City Council and modification of the associated Development Agreement.
7. **BUILDING SETBACKS.** With the Development Review Board application, the applicant/owner shall revise the building locations as necessary to comply with all building setback requirements of the PCP district, accounting for curb line relocations, **utility easements** and deceleration lanes.
8. **PEDESTRIAN CIRCULATION.** Pedestrian circulation improvement standards, including but not limited to location, widths, and treatments, shall be in conformance with the Pedestrian Circulation Plan within the above referenced Development Plan.
9. **ACCESS RESTRICTIONS.** Access to the development project shall conform to the Vehicular Circulation Plan within the above referenced Development Plan.
10. **REFUSE.** Refuse improvement standards shall be in conformance with the Refuse Plan in the above referenced Development Plan with improvement locations determined accordingly with each phase of development.
11. **STREET TRACTS.** All internal streets shall be contained within private street tracts. Cross-section standards for street tracts shall be in conformance with Street Sections sheet in the above referenced Development Plan. Phased construction of street tracts shall be in conformance with the Phasing Plan that is part of the above referenced Development Plan. Prior to issuance of any permit for the phased development project, the property owner shall submit and obtain approval of construction documents to construct the street tract improvements. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, whichever is first, for the phased development project, the property owner shall complete the street tract improvements.
12. **STREETLIGHTS.** Existing streetlight poles and luminaries along the E. Paradise Lane, N. Dial Boulevard, and E. Tierra Buena frontages shall be replaced with new streetlight poles per City of Scottsdale Standard Detail 2170-2173, with new LED luminaires from City approved manufacturers. The two (2) existing streetlight poles along Tierra Buena that contain small wireless facilities shall remain in place.
 - a. In the event the powerlines along the N. Scottsdale Road frontage are undergrounded, new streetlight poles and luminaires shall be installed per City of Scottsdale Standard Detail 2170-2173. Poles shall be hot-dip galvanized according to ASTM 123 and powder coated SW7055 "Enduring Bronze."
13. **FAA DETERMINATION.** With the Development Review Board Application, the property owner shall submit a copy of the FAA Determination letter on the FAA FORM 7460-1 for any proposed structures and/or appurtenances that penetrate the 100:1 slope. The elevation of the highest point of those structures, including the appurtenances, must be detailed in the FAA form 7460-1 submittal.
14. **AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE.** Prior to any permit issuance for the development project, the property owner shall provide a copy of the noise disclosure notice that will be provided

to occupants, potential homeowners, employees and/or students that will be located at the development project in a form acceptable to the Scottsdale Aviation Director.

15. SOUND ATTENUATION MEASURES. With the final plans submittal, the property owner shall provide sound attenuation measures that are limited to sound transmission class of not less than 50 (45 if field tested) as provided in the International Building Code (IBC).
16. PROTECTION OF ARCHAEOLOGICAL RESOURCES. Any development on the property is subject to the requirements of Scottsdale Revised Code, Chapter 46, Article VI, Protection of Archaeological Resources, Section 46-134 - Discoveries of archaeological resources during construction.

DEDICATIONS

17. RIGHT-OF-WAY DEDICATIONS. Prior to issuance of any permit for the development project, the development project and non-subdivided property owner shall make fee-simple right-of-way dedications to the City of Scottsdale to accommodate project development public street improvements where the improvements cross onto private property of the development project.
18. STREET TRACTS. Prior to permit issuance for any phase, or final plat recordation, the property owner shall dedicate street tracts to the project development's property owner's association to contain any, internal to project development, vehicular or pedestrian corridors.
19. TRACTS, MAINTENANCE, AND LIABILITY. A property owners association consisting of property owners within the project development shall own and be responsible for all maintenance and liabilities of all tracts and related infrastructure.
20. PUBLIC TRANSIT FACILITY AND ACCESS EASEMENT. Prior to issuance of any permit for the development project, the property owner shall dedicate a Public Transit Facility and Access Easement to the City of Scottsdale to contain the transit facility improvements that are to be constructed in accordance with the infrastructure requirements below in locations where the improvements cross onto private property of the development project.
21. PUBLIC NON-MOTORIZED ACCESS EASEMENT. Prior to issuance of any permit for the development project, the property owner shall dedicate a continuous Public Non-Motorized Access Easement to the City of Scottsdale to contain the public sidewalk in locations where the sidewalk crosses onto private property of the development project.
22. AVIGATION EASEMENT. Prior to the issuance of any permit for the development project, the property owner shall dedicate an Avigation Easement to the City of Scottsdale, in a form acceptable to the City Attorney, or designee.

INFRASTRUCTURE

23. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, whichever is first, for the development project, the property owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations.
24. STANDARDS OF IMPROVEMENTS. All improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Scottsdale Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments

(MAG) Uniform Standard Specifications and Details for Public Works Construction, the Design Standards and Policies Manual (DSPM), and all other applicable city codes and policies.

25. CIRCULATION IMPROVEMENTS. Prior to issuance of any permit for the development project, the property owner shall submit and obtain approval of construction documents to construct the **public and private street** improvements in conformance with the Vehicular ~~Circulation Plan~~ and Pedestrian ~~and Vehicular~~ Circulation Plans within the above referenced Development Plan.
26. TRANSIT FACILITIES. Prior to issuance of any permit for the development project, property owner shall submit and obtain approval of construction documents to construct bus bay, transit pad and shelter, landscaping, bench, and trash can in the location within the above referenced Development Plan.
27. TRAFFIC SIGNAL CONSTRUCTION. Prior to issuance of any permit for the development project, the property owner shall submit and obtain approval of construction documents to construct a traffic signal and associated improvements at the intersection of N. Scottsdale Road and E. Tierra Buena Lane.
28. ENHANCED PEDESTRIAN CROSSING. Prior to issuance of any permit for the development project, the property owner shall submit and obtain approval of construction documents to construct a Rectangular Raid Flashing Beacon (RRFB) and pedestrian crosswalk across E. Paradise Lane at the location shown on the Pedestrian Circulation Plan located within the above referenced Development Plan.
29. CITY CONDUIT. Prior to issuance of any permit for the development project, the property owner shall submit and obtain approval of construction documents to Install a 2-inch diameter conduit within the public right-of-way along the Dial Boulevard and Tierra Buena frontages for City to install future fiber optic cable for municipal uses.
30. WASTEWATER IMPROVEMENTS. Prior to issuance of any permit for the development project, the property owner shall submit and obtain approval of construction documents to construct the following:
 - a. E TIERRA BUENA LANE. Construct a new twelve (12) inch gravity sewer system along development project's frontage, from its point of discharge to N Dial Blvd, approximately four hundred and fifteen (415) feet.
 - b. N DIAL BOULEVARD. Construct a new eighteen (18) inch gravity sewer system along the development project's frontage, from its point of discharge to N Greenway Hayden Loop, approximately one thousand eight hundred thirty (1,830) feet.
 - c. STORMWATER LIFT STATION. In accordance with the terms of Contract No. 2023-144-COS, certain volumes of stormwater may be discharged into the sewer by a stormwater lift station as a function of the project's water conservation efforts. However, the project development's stormwater system requirements may in no way be reduced as a result of this discharge connection.
31. WATER AND WASTEWATER IMPROVEMENTS. The property owner shall provide all water and wastewater infrastructure improvements, including any new service lines, connection, fire-hydrants, and manholes, necessary to serve the development.
32. FIRE HYDRANT. The property owner shall provide fire hydrant(s) and related water infrastructure adjacent to lot, in the locations determined by the Fire Department Chief, or designee.

REPORTS AND STUDIES

33. DRAINAGE REPORT. With the Development Review Board submittal, the property owner shall submit a Drainage report in accordance with the Design Standards and Policies Manual for the development project.

RESOLUTION NO. 12936

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "THE PARQUE DEVELOPMENT PLAN".

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "The Parque Development Plan", attached as **Exhibit 1**, a paper and an electronic copy of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2023.

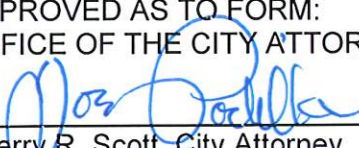
CITY OF SCOTTSDALE, an
Arizona municipal corporation

ATTEST:

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



THE PARQUE Development Plan

September 13, 2023



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INTRODUCTION

1



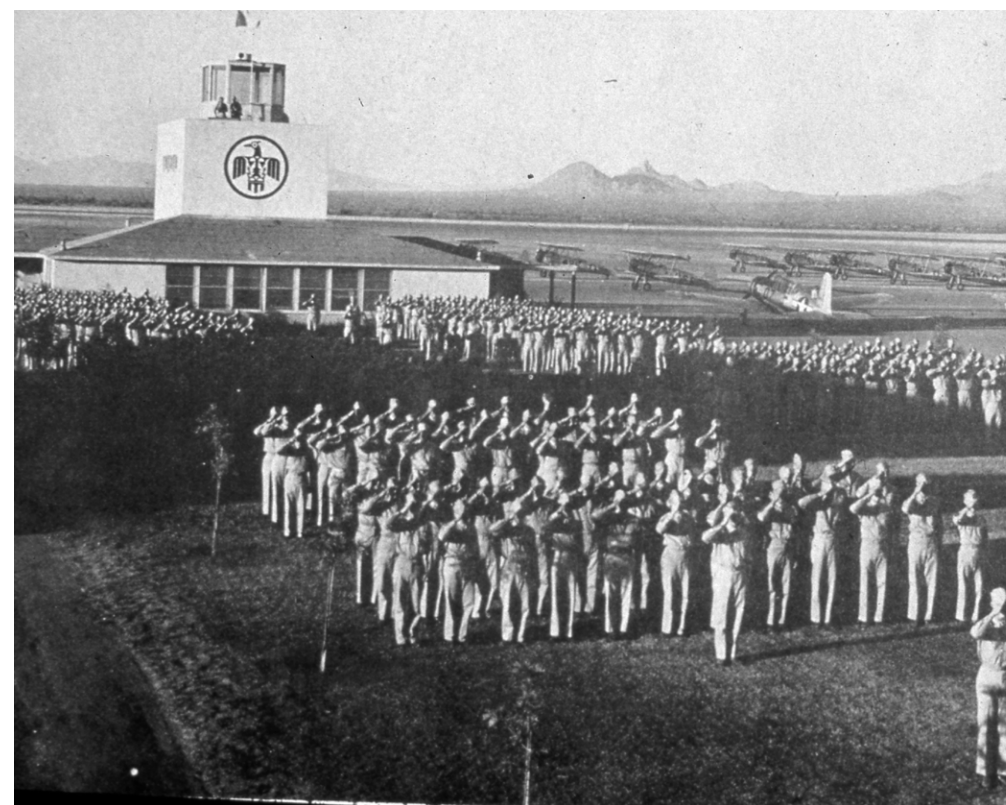
HISTORY OF THE SCOTTSDALE AIRPARK



SCOTTSDALE AIRPARK EVOLUTION

Scottsdale Airport began in June 22, 1942, as Thunderbird Field II, a basic training facility for World War II Army Air Corps pilots.

The city of Scottsdale acquired the airfield portion of the academy's property in 1966 and has continued to own and operate it since that time. The first airpark tenant, Casa Precision, broke ground for its first building in August 1968.



Scottsdale Airpark has become a national model for airport-based business parks. It is headquarters for over 25 national/regional corporations; home to more than 2,500 small to medium-sized businesses; workplace of more than 48,000 employees; and has easy airport access and seven miles of taxiway access. The workforce within its boundaries has tripled in the past decade, making it the third largest employment center in the Greater Phoenix region.



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ECONOMIC AND EMPLOYMENT LEADER

Scottsdale's business environment includes successful entrepreneurs, a highly talented workforce, and a burgeoning high-tech industry cluster. Scottsdale is becoming known as an emerging center for technology development and incubation and is increasingly becoming the location of choice for technology companies looking for national expansion.



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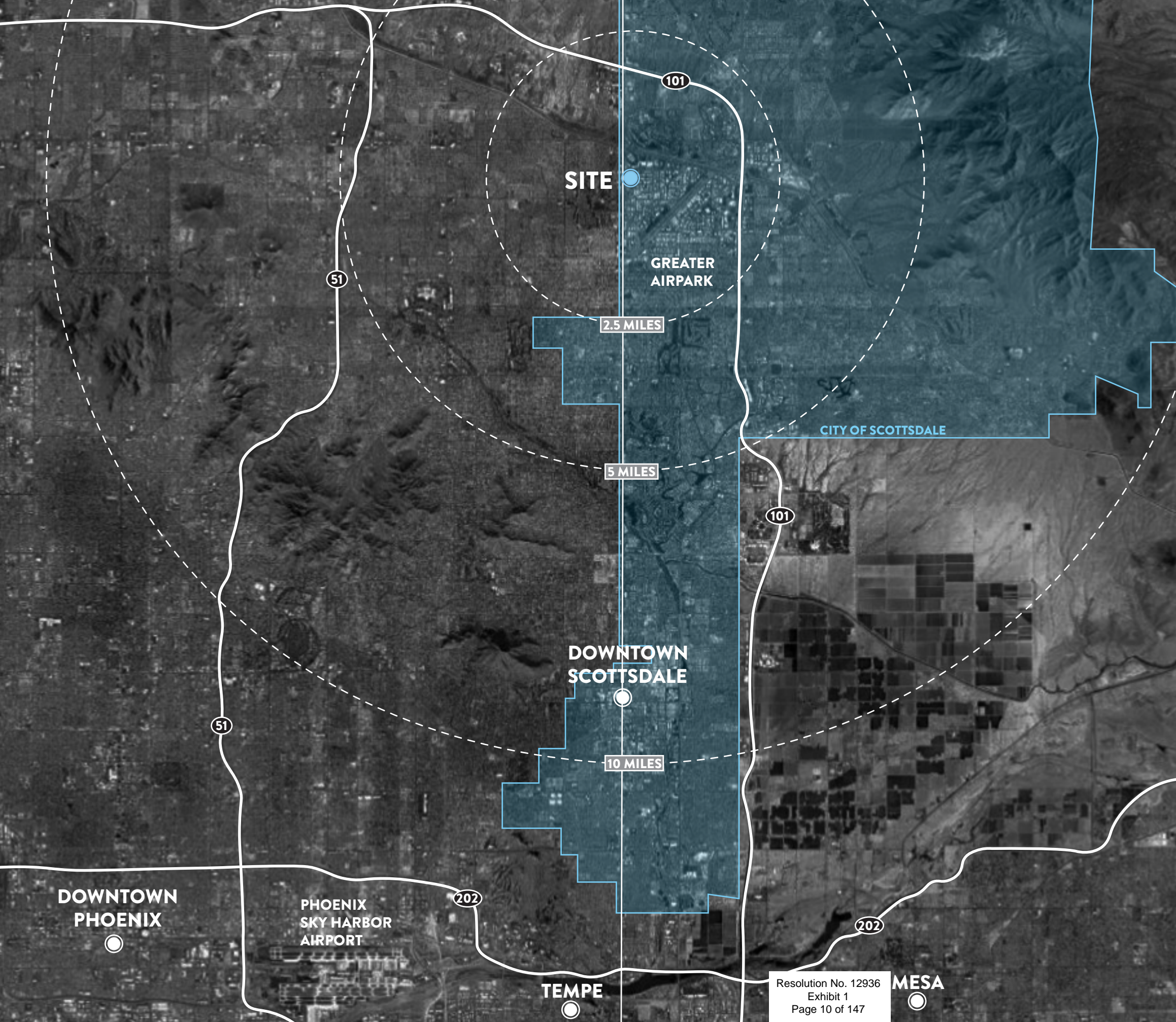
TECH INCUBATION IN SCOTTSDALE

Tech companies accounted for a record 21 percent of major office-leasing activity in the US and Canada in the second half of 2021, according to data from real estate firm CBRE. Between 2010 and 2020, Phoenix was one of the top national markets for annual growth in leasing by technology-related companies, with 27% annual average growth.

The gains in tech's office leasing underscore the industry's resilience during the pandemic. U.S. tech employment now exceeds its pre-crisis level by 3.3 percent, surpassed only by the life sciences industry (6.9 percent). The tech industry has expanded by 219,000 jobs in the U.S. since May 2020.



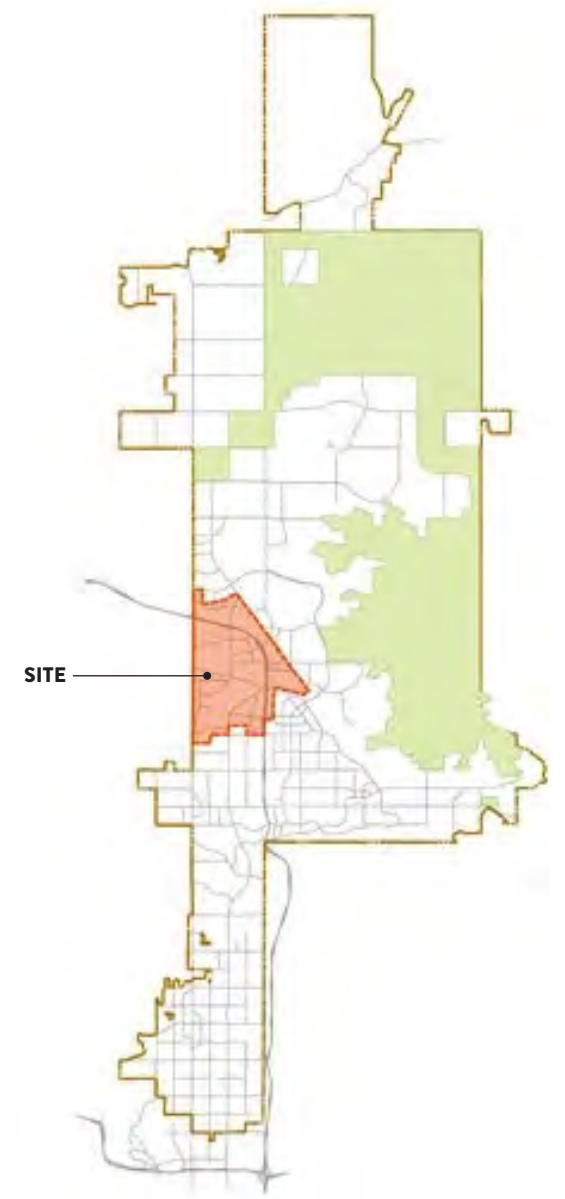
REGIONAL CONTEXT



SITE LOCATION

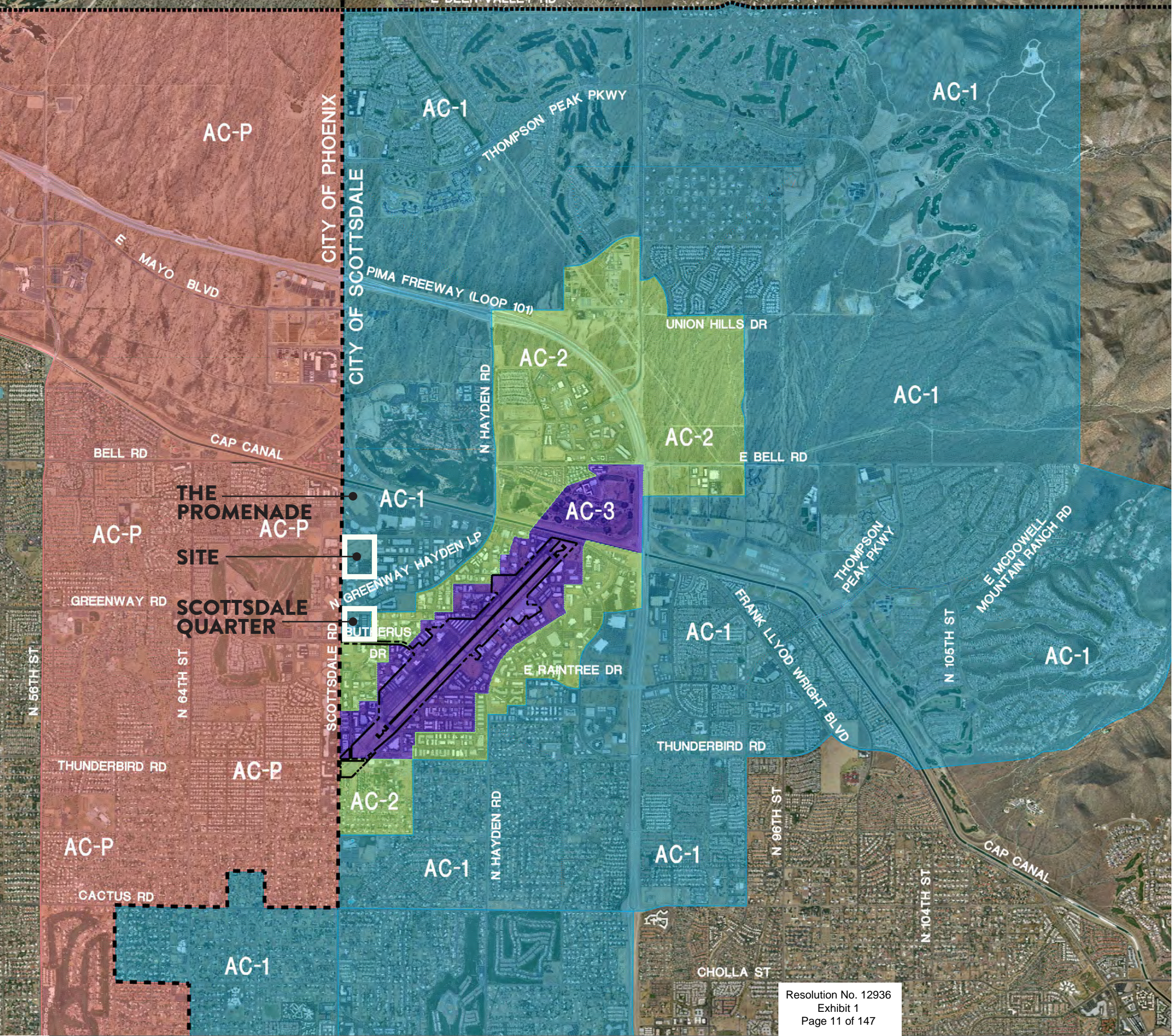
The Parque is located within the greater Airpark Area and is on the boundary of the City of Scottsdale and the City of Phoenix.

CITY OF SCOTTSDALE



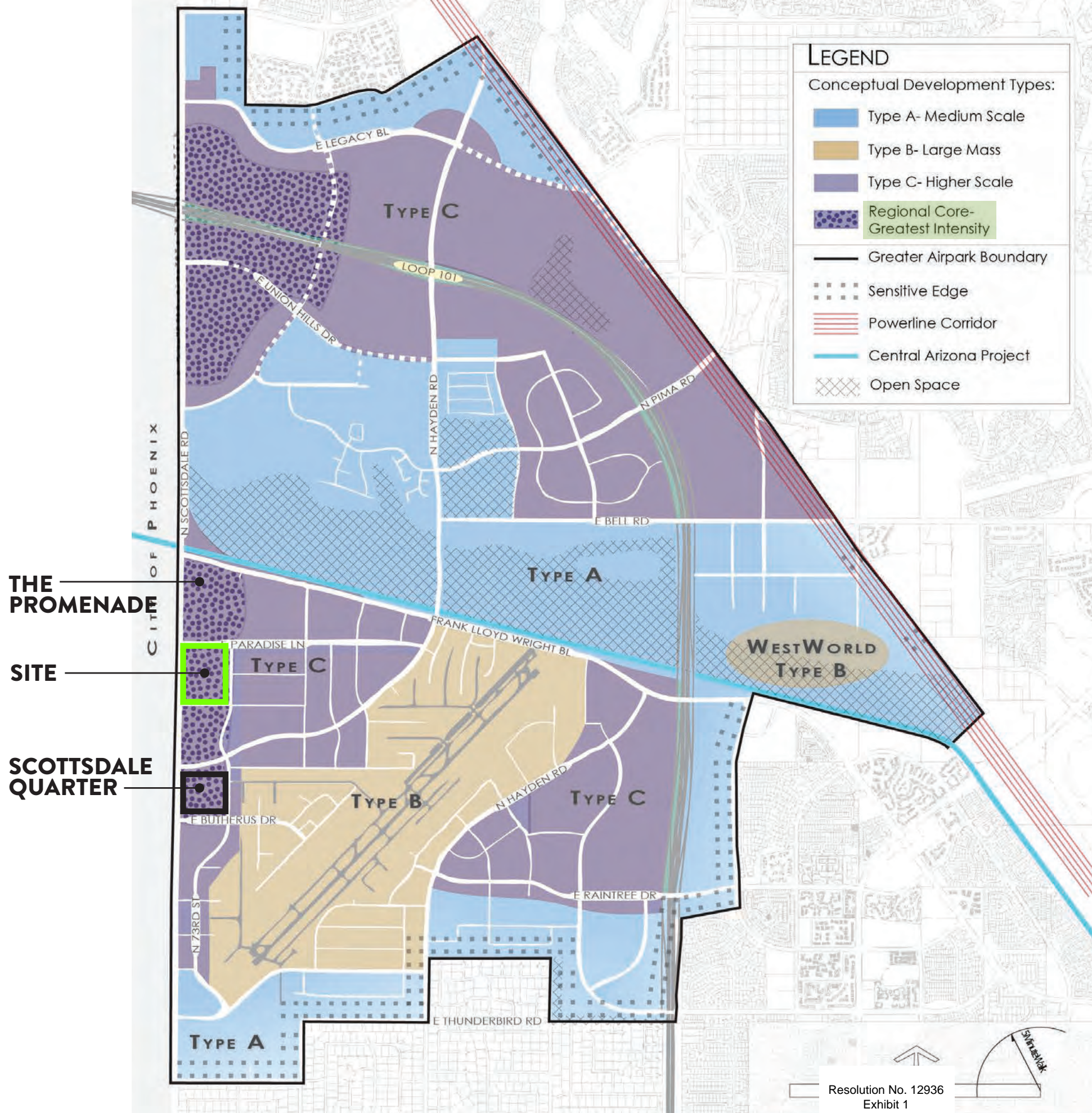
SITE LOCATION

The Parque is located within the AC-1 zone of the Recommended Airport Influence and Noise Overlay Zones.



LEGEND

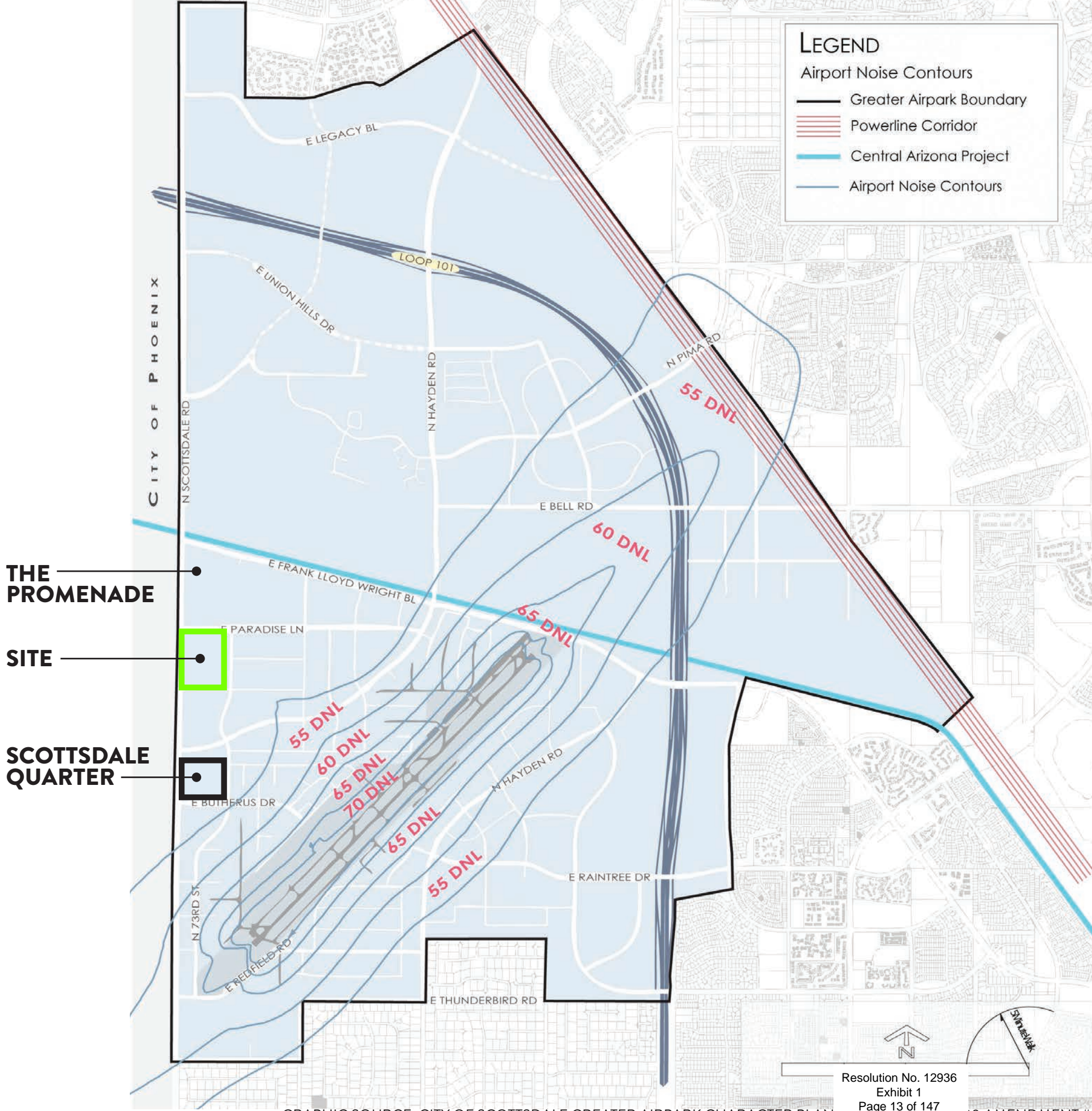
- Detailed Land Use Study Area
- - - - - Municipal Boundary
- Airport Property
- AC-P
- AC-1
- AC-2
- AC-3



LAND USE

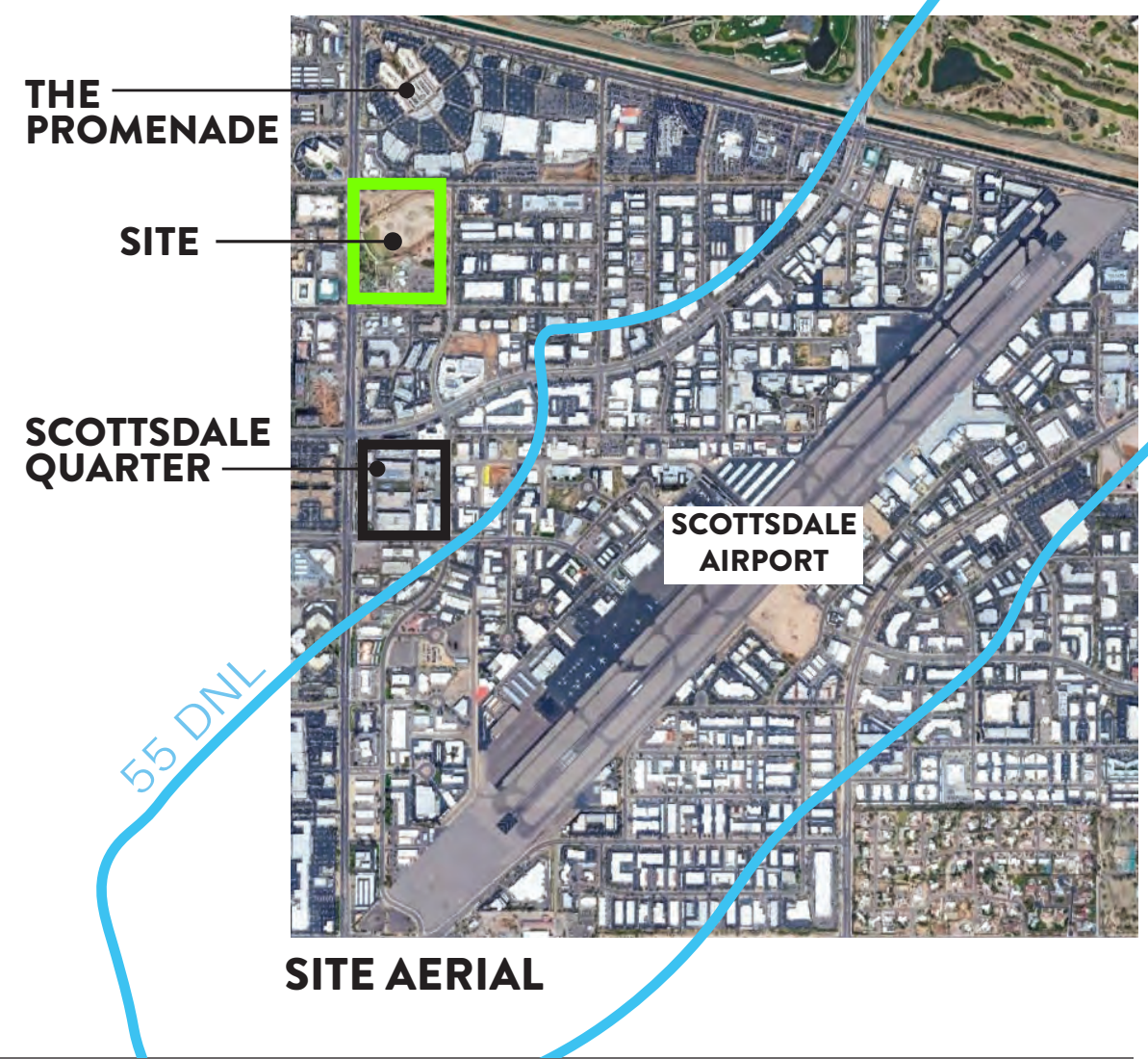
The site is located within the Greater Airpark Character Area Plan

The Parque is located within the Regional Core Development Type, which is appropriate for the greatest development intensity in the Greater Airpark area.

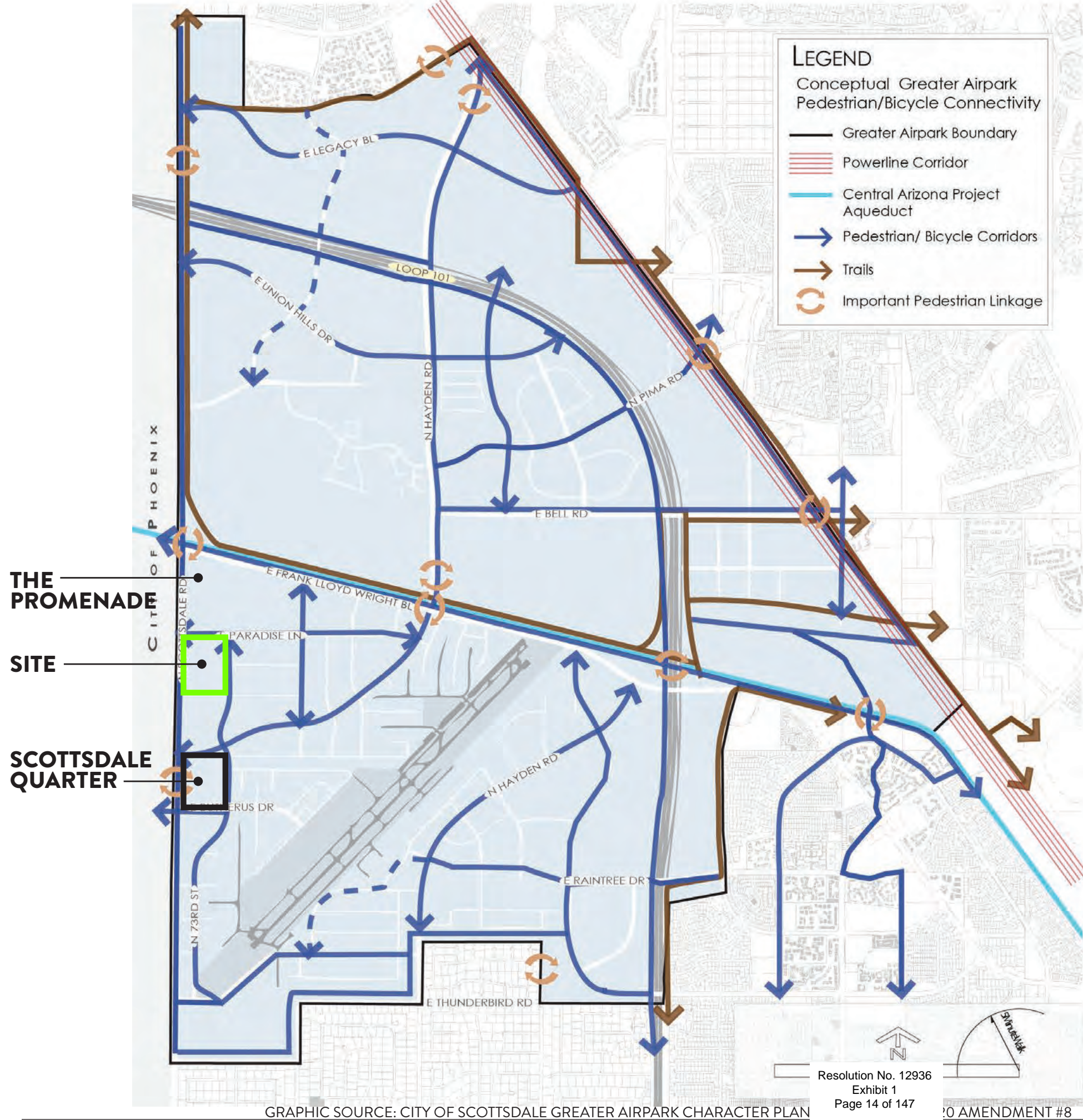


AIRPORT INFLUENCE

Located north of the Scottsdale Airport, The Parque is outside of the 55 DNL noise corridor.



GRAPHIC SOURCE: CITY OF SCOTTSDALE GREATER AIRPARK CHARACTER PLAN



GRAPHIC SOURCE: CITY OF SCOTTSDALE GREATER AIRPARK CHARACTER PLAN

PEDESTRIAN AND BICYCLE CORRIDORS

Included in the city's Greater Airpark Character Plan is a Conceptual Greater Airpark Pedestrian/Bicycle Connectivity map, emphasizing the importance of non-motor transport within the community.



SITE AERIAL



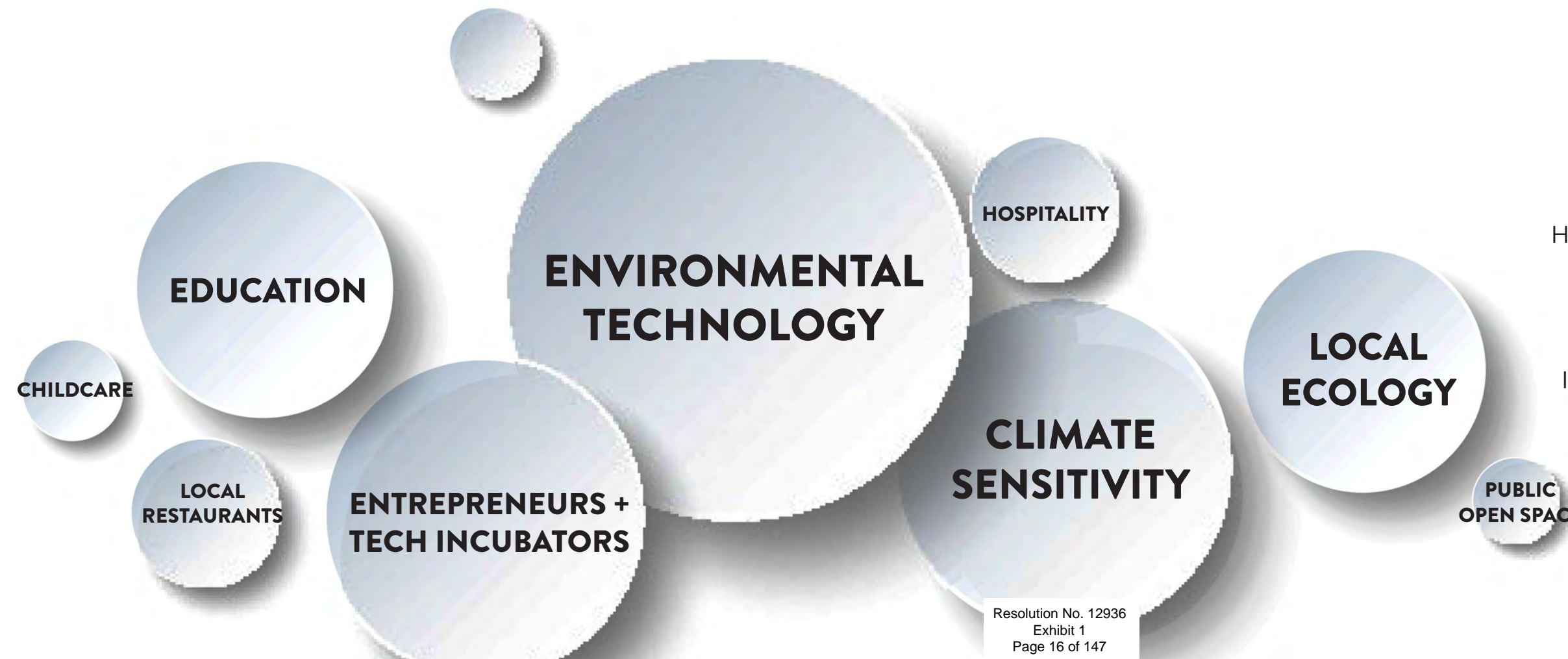
THE VISION



THE COMPLETE COMMUNITY

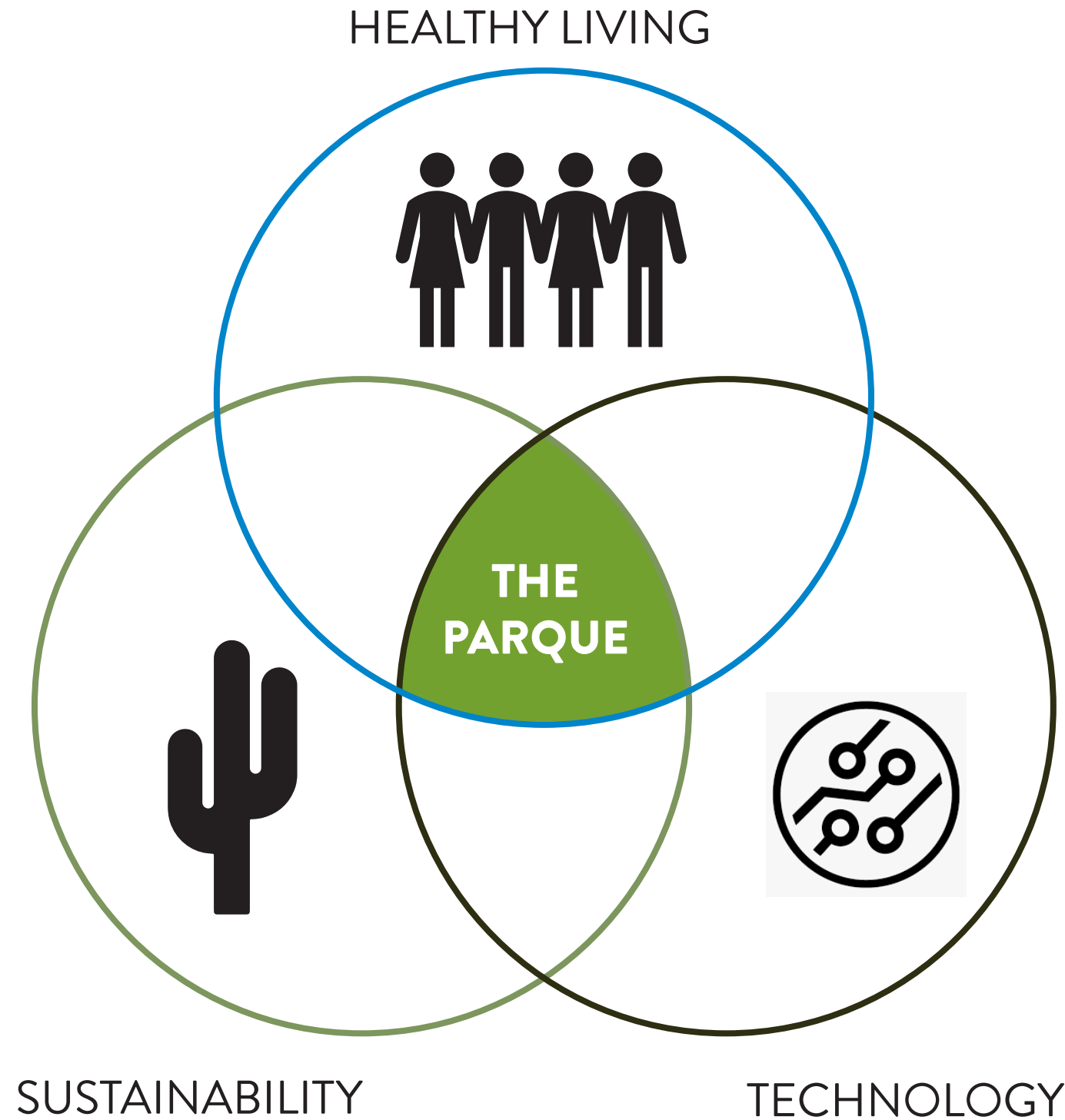
Healthy living, technology, and sustainability combine to create the complete community.

Interdisciplinary partnerships foster innovative living, mindful resource use, and long-term sustainability.



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THE COMPLETE COMMUNITY



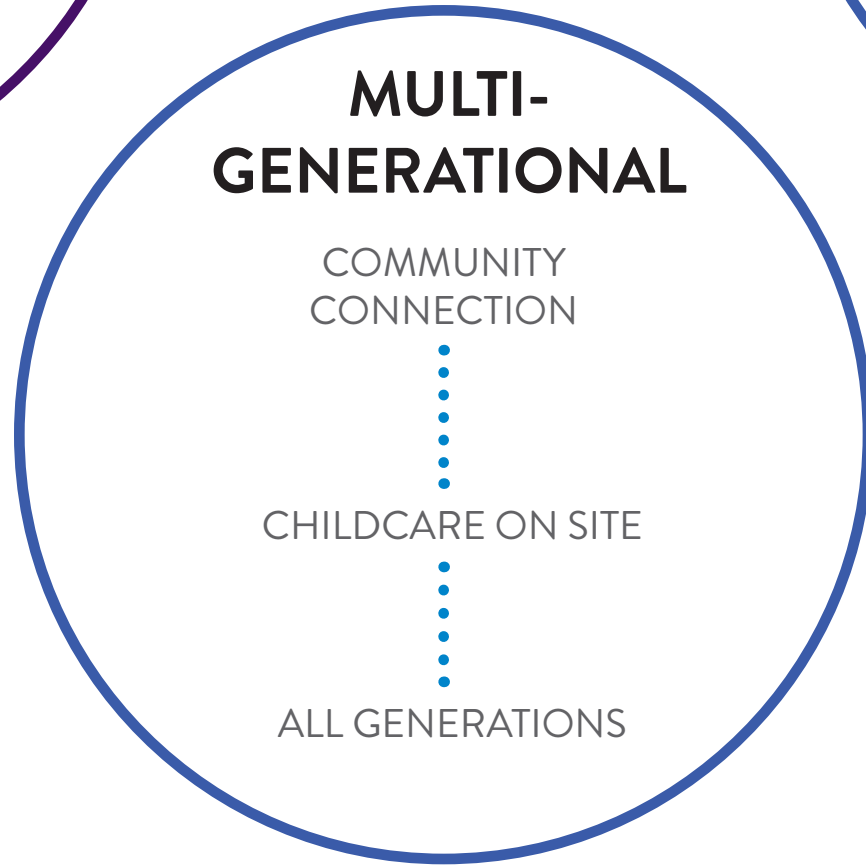
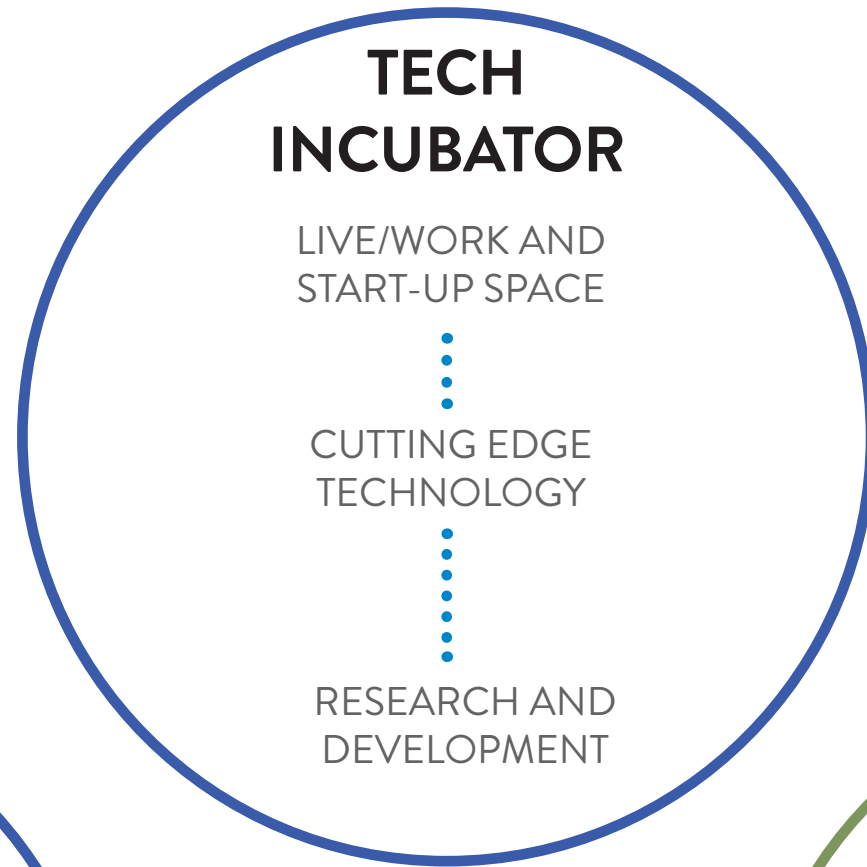
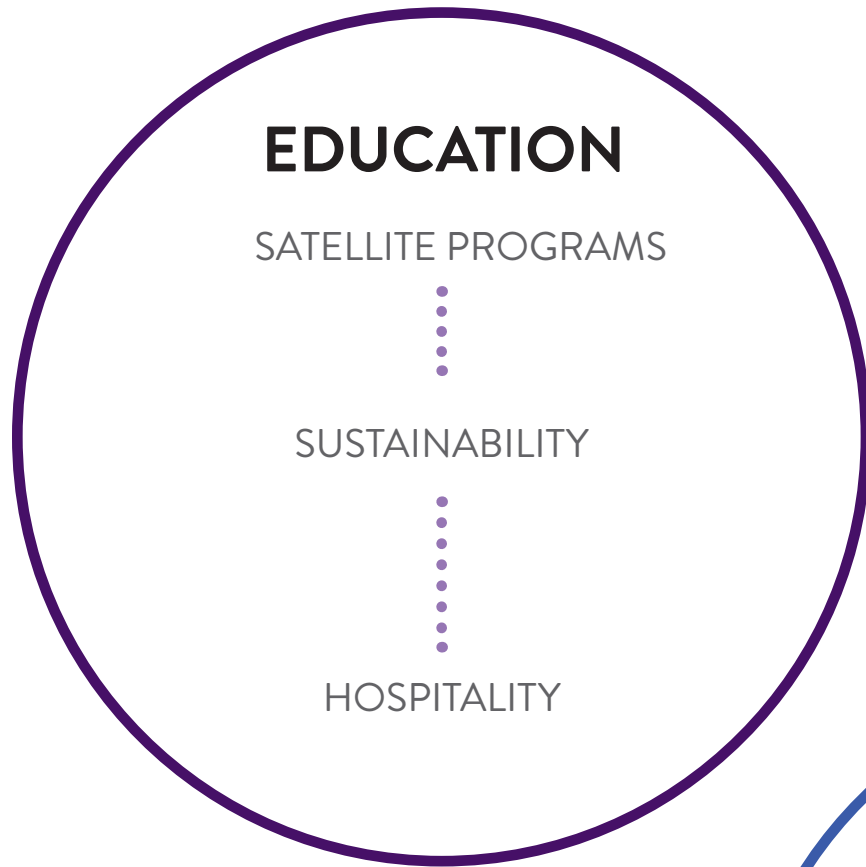
CORE CONCEPTS

The Parque is situated on a well-located but underutilized parcel surrounded by thriving retail and office/employment land uses, which makes it ideal for mixed-use redevelopment.

The Parque will be a walk-friendly community with architecture that caters to the pedestrian by providing visual interest and a series of shaded corridors and a strong visual presence of open space along Scottsdale Road with views into the site and beyond. The 2 +/- acre Central Park space is the core design element for The Parque and place making through the implementation of landscaping, shading, public art, seating and gathering spaces to create a destination experience for Scottsdale residents and visitors.

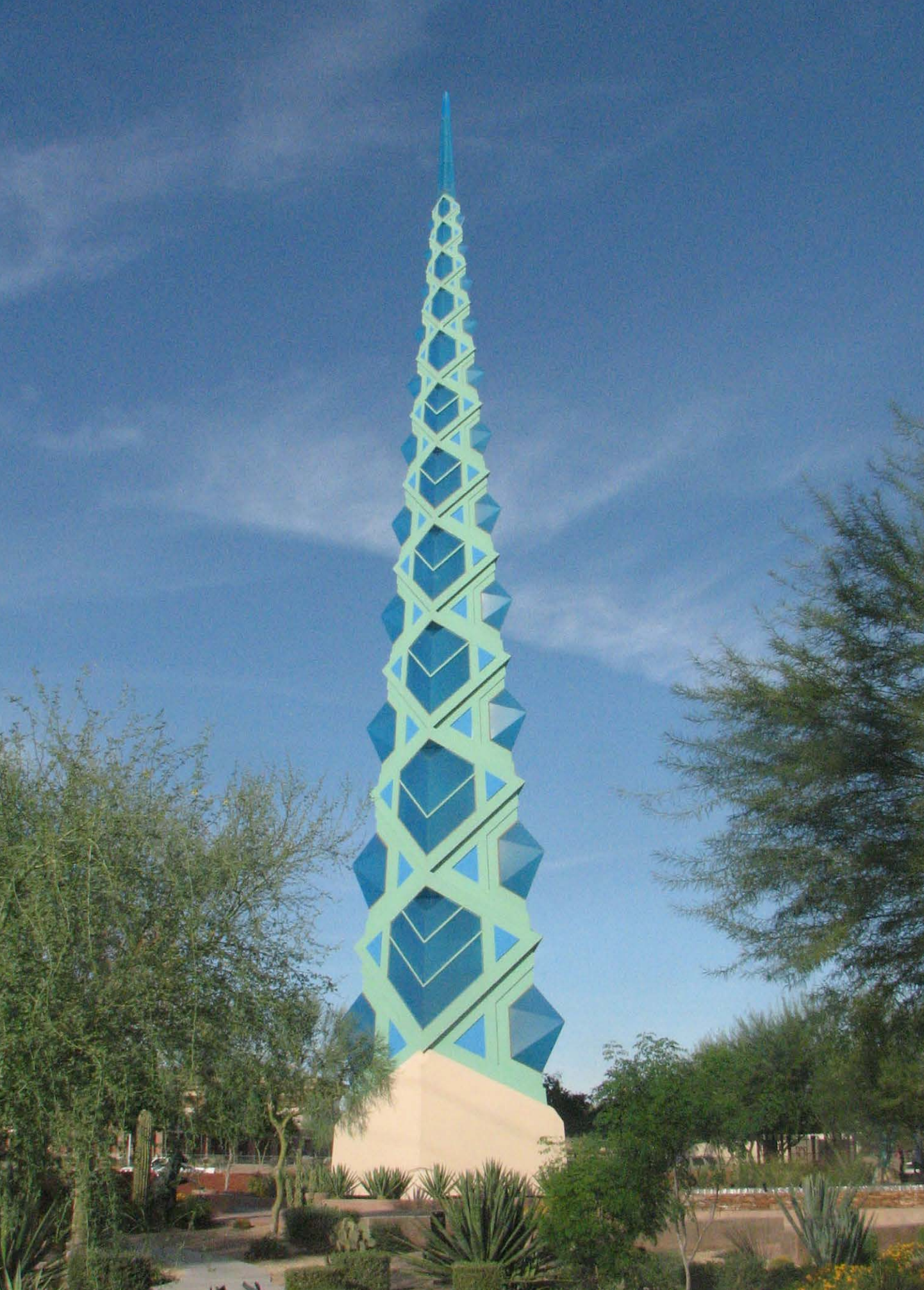
The Parque will advance the “Smart City” concept by being a confluence of technology, sustainability and healthful outdoor living providing a memorable experience for its residents, patrons, visitors, and employees while respecting the Sonoran Desert environment and celebrating the natural and built amenities of Scottsdale.

Interdisciplinary partnerships foster innovative living, mindful resource use, and long-term sustainability over time. Healthy living, technology, and sustainability combine to create the complete community.



GOALS AND POLICIES

2



SCOTTSDALE SENSITIVE DESIGN PRINCIPLES



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SCOTTSDALE SENSITIVE DESIGN PRINCIPLES

Development should respect and enhance the unique climate, topography, vegetation and historical context of Scottsdale's Sonoran desert environment, all of which are considered amenities that help sustain our community and its quality of life. The following design principles will help improve and reinforce the quality of design in our community:

1. The design character of any area should be enhanced and strengthened by new development.

Building design should consider the distinctive qualities and character of the surrounding context and, as appropriate, incorporate those qualities in its design.

Building design should be sensitive to the evolving context of an area over time.

RESPONSE: The design character of the airport has historically been defined by industrial concrete tilt buildings. However, the development along the Scottsdale Road corridor has recently elevated the overall character of the area. This project will follow the baseline set by Scottsdale Quarter and add an enhanced design experience. The building facades will reflect high quality materials and visually engaging design. The pedestrian corridors on the perimeter and internal to the project will provide elevated paving, plantings and other site amenities that engage pedestrians. The design

guidelines for the project specifically outline the building facade and material standards, as well as the streetscape and pedestrian experiences.

2. Development, through appropriate siting and orientation of buildings, should recognize and preserve established major vistas, as well as protect natural features such as:

Scenic views of the Sonoran desert and mountains

Archaeological and historical resources

RESPONSE: This development has been planned to both preserve and enhance the current experience on both Scottsdale Road and within the airpark. The plan is organized around an approximate 2 acre public park. The size and design of the park are a significant asset to the airpark community. Building size and spacing has been planned to conserve vistas to the McDowell Mountains from the Scottsdale Road alignment and from the central park. One story buildings with generous courtyard spaces between buildings create new corridors.

3. Development should be sensitive to existing topography and landscaping.

A design should respond to the unique terrain of the site by blending with the natural shape and texture of the land while minimizing disturbances

to the natural environment.

RESPONSE: The existing topography on site and on neighboring developed sites is largely flat and without direct connectivity to natural landscapes.

4. Development should protect the character of the Sonoran desert by preserving and restoring natural habitats and ecological processes.

RESPONSE: The existing site has been functioning as an active commercial development for almost 30 years. The project is rooted in encouraging environmental sustainability and will serve as a model development for educating and promoting sensitive development within the Sonoran desert.

5. The design of the public realm, including streetscapes, parks, plazas and civic amenities, is an opportunity to provide identity to the community and to convey its design expectations.

Streetscapes should provide continuity among adjacent uses through use of cohesive landscaping, decorative paving, street furniture, public art and integrated infrastructure elements.

RESPONSE: This project enhances the design experience in all public realms including perimeter streetscapes, internal streetscapes, parks, plazas

and public art. A core principle guiding this development includes sustainable connectivity to the existing and future surrounding built environment in the airpark. Each of the perimeter and internal streetscapes will be crafted to reflect a commitment to pedestrian comfort and engagement. The streetscapes act as the connective tissue bringing the public and residents into the large central park space. Paving, plantings, furnishings, signage and art will be incorporated into the streetscapes and parks in a method which promotes district and area identity, with high quality and creativity.

6. Developments should integrate alternative modes of transportation, including bicycles and bus access, within the pedestrian network that encourage social contact and interaction within the community.

RESPONSE: This project ties into and improves the existing bicycle and bus transportation infrastructure. Bicycle usage will be encouraged by a variety of on-site storage facilities and well-located bicycle repair stations adjacent to public gathering areas to promote community gathering and interaction. The pedestrian and open space network is also planned to provide outdoor office/workspace environments that promote residents and patrons to enjoy community gathering areas for extended periods. This comprehensive open

space network will present variety of scale and amenity for each space, large and small, to cater to the differing needs of the public and residents.

7. Development should show consideration for the pedestrian by providing landscaping and shading elements as well as inviting access connections to adjacent developments.

Design elements should be included to reflect a human scale, such as the use of shelter and shade for the pedestrian and a variety of building masses.

RESPONSE: Pedestrian streetscapes will be carefully crafted to provide shade and environmental comfort through significant tree plantings and/or structural shade canopies. Buildings adjacent to pedestrian pathways will provide visual engagement through upgraded base materials and facade intrigue. The site plan has been designed to align internal drives with adjacent existing driveways to the north and south. This enables the development to promote safe and comfortable pedestrian and bicycle crossings at these intersections. Hard scape and plantings will be enhanced at these intersections to provide shade and design interest.

8. Buildings should be designed with a logical hierarchy of masses:

To control the visual impact of a building's height and size

To highlight important building volumes and features, such as the building entry.

RESPONSE: Building facade massing will be designed to break up facades and minimize the visual impact of the building. Massing will be organized to promote shadows that accent facades and separate base level conditions from upper levels. Building entries and portions of facades that terminate internal vistas will receive highlighted massing or material attention. Mixed-use buildings will call attention to plaza-level conditions and provide design enhancements that engage the pedestrian streetscapes and public realm. Upper levels will be addressed with a combination of material changes and massing changes. Additional information can also be referenced in the Architectural Design Guidelines.

9. The design of the built environment should respond to the desert environment:

Interior spaces should be extended into the outdoors both physically and visually when appropriate

Materials with colors and coarse textures associated with this region should be utilized.

A variety of textures and natural materials should be used to provide visual interest and richness, particularly at the pedestrian level. Materials should be used honestly and reflect their inherent qualities

Features such as shade structures, deep roof overhangs and recessed windows should be incorporated.

RESPONSE: Building design will reflect the contextual location of a contemporary, innovative, and cutting edge mixed-use development in the Sonoran Desert. Buildings will respond to their solar orientation and facades incorporate passive heat gain mitigation strategies. New technologies in building materials for both facades, paving, plantings and hard scape will also be incorporated to offset heat gain and promote pedestrian comfort. All buildings will respond to the street level experience through upgraded material texture, facade interest, and solar control. Shade and shadow will be incorporated into facades to minimize massing and provide contrast in the facade. Please refer to the Architectural and Landscape Design Guidelines for additional information.

10. Developments should strive to incorporate sustainable and healthy building practices and products.

Design strategies and building techniques, which minimize environmental impact, reduce energy consumption, and endure over time, should be utilized.

RESPONSE: Sustainability and technology are two of the core principles of this development. Both building design and site design are committed to implementing passive and active strategies to minimize total project environmental impact. The project is committed to the Scottsdale Green Building Program and will be seeking additional avenues to respond to energy and water conservation. This project is aligned with the City of Scottsdale vision of water and energy conservation as outlined within the 2035 General Plan. Buildings will be designed with technology responsive to the newest applicable strategies in sustainable development. Sustainability efforts will be quantified and used as a community educational opportunity to assist with a broader sustainability message.

11. Landscape design should respond to the desert environment by utilizing a variety of mature landscape materials indigenous to the arid region.

The character of the area should be emphasized through the careful selection of planting materials in terms of scale, density, and arrangement

The landscaping should complement the built environment while relating to the various uses.

RESPONSE: Prior to construction, the health of existing tree vegetation on site will be evaluated and documented to create an inventory and salvage plan prioritizing the salvage and reuse of existing native tree and cacti species on site. To soften the interface between proposed and existing landscape along the perimeter, desert native tree and understory planting are proposed such as palo verde, willow, mesquite, yuccas and desert spoons. At entries and outdoor amenity spaces, larger scale desert trees and palms are proposed to provide a mature framework of shade in scale with buildings. Within the interior streetscapes proposed tree species include desert adapted trees considered medium to low water use such as pistache, elm and southern live oak. Linear alleés of street trees reinforce the urban quality of the development and provide shade, respite and a sense of scale. In park and amenity areas the planting is clustered to create outdoor rooms that respond to seasonal changes in light and temperature.

12. Site design should incorporate techniques for efficient water use by providing desert adapted landscaping and preserving native plants.

Water, as a landscape element, should be used judiciously

Water features should be placed in locations with high pedestrian activity.

RESPONSE: Water conservation and reuse are foremost as drivers for the landscape concept. The landscape palette includes low to moderate water use plants with the exception of judiciously placed turf and associated tree planting. The development will harvest, filter and reuse water as well via permeable pavers, storm water basins, bioswales, rain gardens and condensate harvesting seeps. The project proposes the use of underground turf irrigation and weather sensing irrigation technology to minimize water loss through evaporation. Careful consideration of water features is noted and at this time water features proposed will be located in high activity core areas and provide an interactive social experience. It should be noted as well that the multi family, condo and hotel developments will include pools for residents and guests. Swimming pools will be sized appropriately for anticipated quantity of users.

13. The extent and quality of lighting should be integrally designed as part of the built environment.

A balance should occur between the ambient light levels and designated focal lighting needs.

Lighting should be designed to minimize glare

and invasive overflow, to conserve energy, and to reflect the character of the area.

RESPONSE: Lighting design within the development will reflect the core concept of the project which is a fusion of technology, sustainability and place making. Fixtures will reflect enhanced energy conservation standards and in accordance with the Scottsdale Green Building Program. Lighting will be used to provide a safe and comfortable environment for pedestrians, but also be used as a design feature for facades, landscape, plazas, parks and open spaces. Lighting will enhance the dramatic transition of the project between daytime and evening experience. Lights will comply with all dark sky standards.

14. Signage should consider the distinctive qualities and character of the surrounding context in terms of size, color, location and illumination.

Signage should be designed to be complementary to the architecture, landscaping and design theme for the site, with due consideration for visibility and legibility.

RESPONSE: Signage for both the project and for individual tenants will be governed by the city's signage ordinance. Project signage will be complementary to the design aesthetic of the project and buildings within the project. Materials,

location and lighting for signage will reflect the context of the project location and serve as enhancements to the streetscapes and pedestrian environment. Signage will also serve to provide a feeling of entry transitions into the development and assist in connectivity with surrounding properties.



SUMMARY OF ZONING REQUEST



SUMMARY OF ZONING REQUEST

The Parque includes a request for rezoning from General Commercial (C-4) to Planned Airpark Core Development –Airpark Mixed Use – Residential with a Planned Shared Development overlay (PCP-AMU-R - PSD) on 28+/- gross acre site located at 16001 N. Scottsdale Road (the “Property”) to allow for the development of an approximately \$1 billion innovative mixed-use vision.

A General Plan Amendment (“GPA”) application was approved by City Council in October 2011 for the subject 28+/- acres amending the Greater Airpark Character Area Plan (“GACAP”) from Airpark Mixed Use (“AMU”) to Airpark Mixed Use-Residential (“AMU-R”) to allow for the addition of residential uses to the existing mixed-use designation. The 2011 GPA application did not include a companion rezoning case.

The Parque is a once in a generation opportunity to create a legacy destination anchored by a large 2+/- acre “Central Park” open space amenity to be enjoyed by Scottsdale residents and visitors. The Parque will create a transformational, sustainable mixed-use campus as a catalyst to attract top innovators, technology entrepreneurs, knowledge workers, and venture capitalists to accelerate Scottsdale’s growing technology cluster.



EXISTING USE/HISTORY

The Property constitutes 28+/- gross acres and is currently occupied by the 28-year old CrackerJax amusement facility. The Property was rezoned from I-1 to C-4 with a use permit in 1992 (cases 40-ZN-1992 and 24-UP-1992). The property is located on the east side of Scottsdale Road, a major north-south arterial, between Paradise Lane and Tierra Buena Lane. Dial Boulevard borders the property on the east. The surrounding context includes The Scottsdale Promenade commercial development including both retail and office to the north is zoned PRC. Jacksons Car wash and Extended Stay America to the south are zoned C-3, while the Arizona Motor Vehicle Division and a range of industrial/commercial office buildings to the east are zoned I-1. West of Scottsdale Road in the City of Phoenix are a variety of commercial office and residential uses with heights up to 165 feet.



SCOTTSDALE CITY GENERAL PLAN 2035



“A healthy, vibrant economy is fundamental to Scottsdale’s lifestyle and identity. Scottsdale relies on its strong economic vitality to generate financial resources; provide services and a high quality of life; offer employment and prosperity for its citizens; and preserve special places in the community. Without these economic strengths, citizens would experience decreased levels of services and amenities and/or increased taxes and costs of services.”

-Scottsdale General Plan 2035

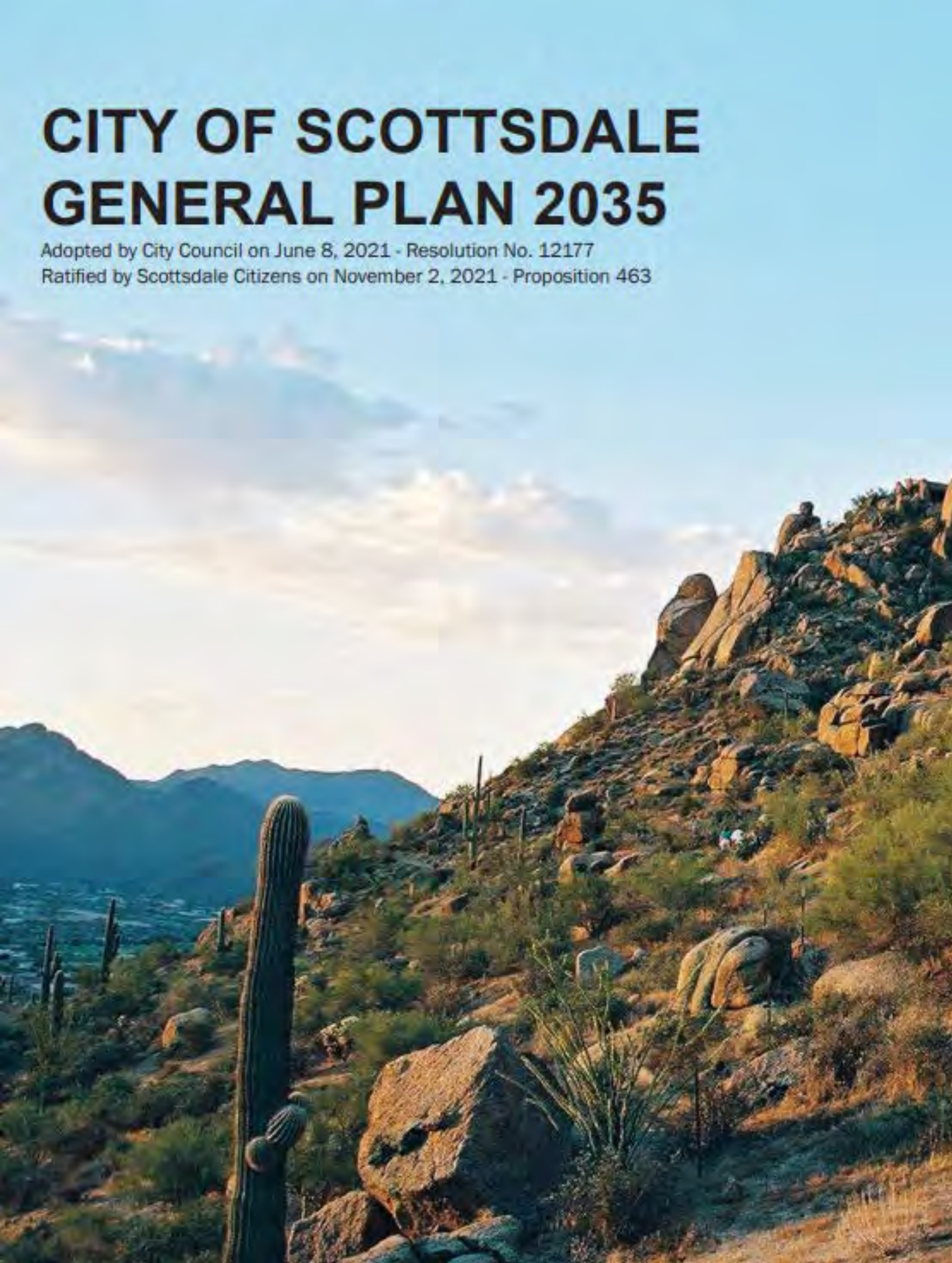
“To maintain high public service standards and physical quality, the city must support and expand its economic base. This can be done by targeting new economic and educational opportunities, which provide support for the future fiscal health of the city”

-Scottsdale General Plan 2035

CITY OF SCOTTSDALE GENERAL PLAN 2035

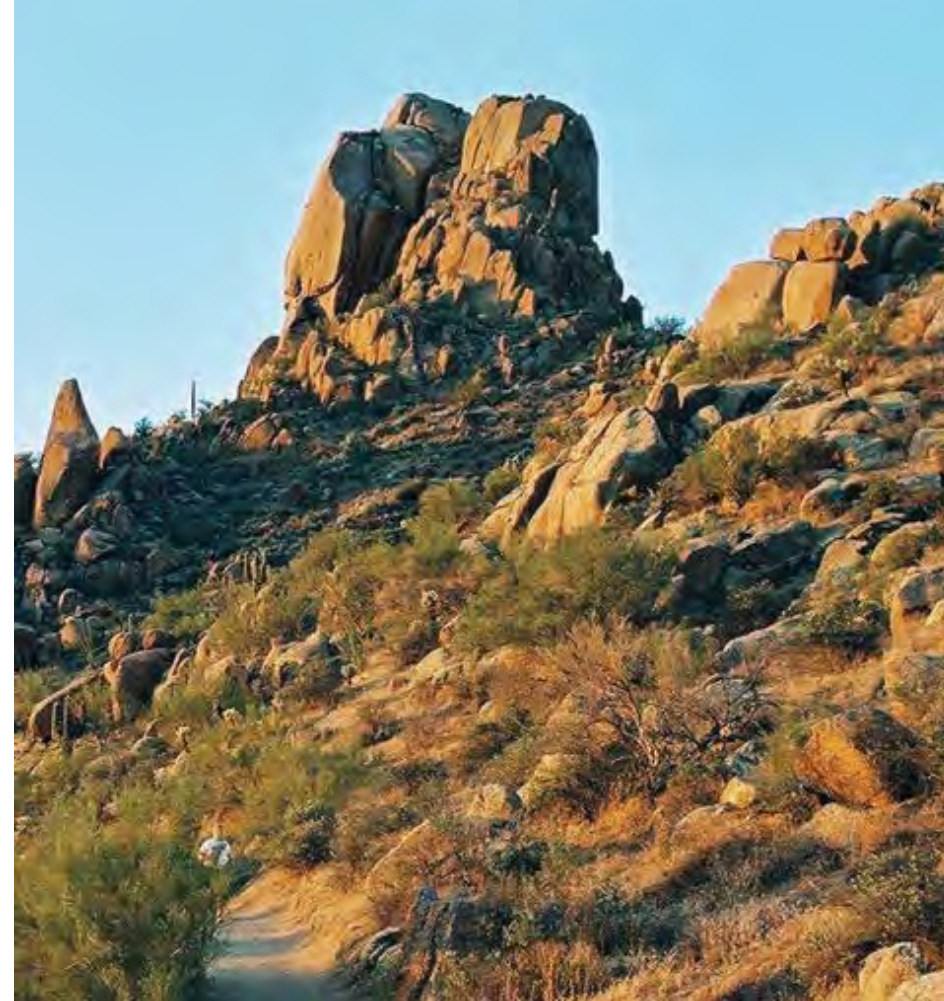
Adopted by City Council on June 8, 2021 - Resolution No. 12177

Ratified by Scottsdale Citizens on November 2, 2021 - Proposition 463



“GREATER AIRPARK GROWTH AREA is one of the largest employment centers in the state of Arizona. It is headquarters for a multitude of national and regional corporations; center for a variety of smaller and locally-owned businesses; contains the largest employment and industrial-zoned area within Scottsdale; and is home to the Scottsdale Airport. The Greater Airpark Growth Area is also the location of some of the largest, signature special events in the city, such as the Waste Management Phoenix Open golf event, the Barrett-Jackson Collector Car Auction, and the Scottsdale Arabian horse Show. This Growth Area will be similar in intensity to the Old Town Scottsdale Growth Area.”

-Scottsdale General Plan 2035



2035 GENERAL PLAN

The General Plan is a tool for guiding future development and contains community goals and policies on a variety of components that play a role in creating the community in which we live, work, and enjoy. These goals and policies are broken down into 24 elements. The 2035 General Plan organizes the 24 elements under the following chapters with a series of goals and policies. A summary of The Parque's conformance to these goals and policies is provided below.

1. Character & Culture
2. Sustainability & Environment
3. Collaboration & Engagement
4. Community Well-Being
5. Connectivity
6. Revitalization
7. Innovation & Prosperity



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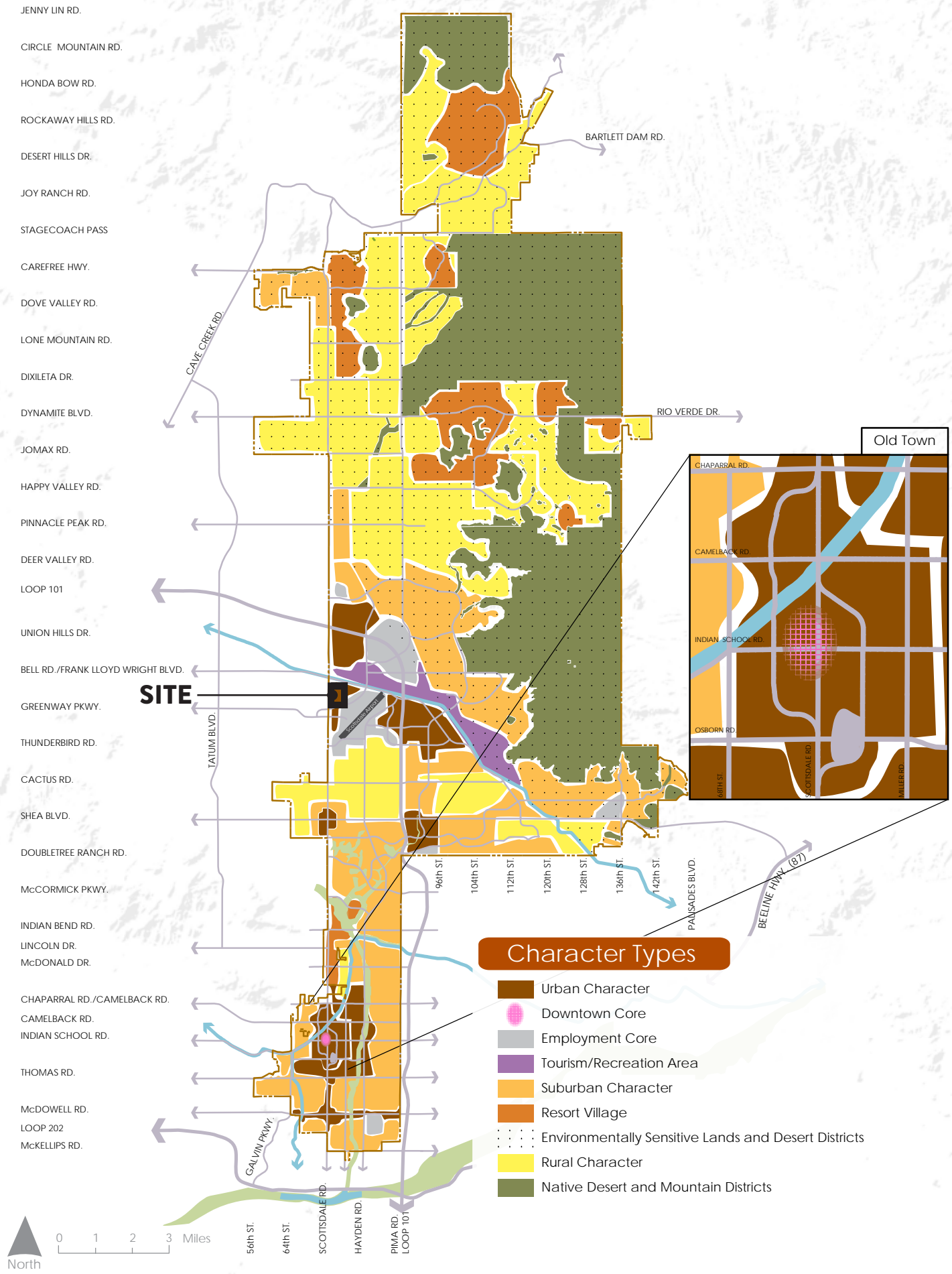
CHARACTER & CULTURE

Character Types

Urban Character Types consist of higher-density residential, non-residential, and mixed-use neighborhoods, including apartments, high-density townhouses, business and employment centers, and resorts. Development in Urban Character Types should have pedestrian orientation, shade, activity nodes, and usable open spaces that encourage interaction among people. Building form and heights typically transition to adjacent Rural and Suburban Character Types. Taller buildings may be appropriate in Growth Areas, depending on context (see Growth Areas Element). Examples include Old Town Scottsdale, a mixed-use center of distinct urban districts; mixed-use portions of the Greater Airpark, particularly along Scottsdale Road; areas within the Scottsdale Road and Shea Boulevard Couplet; and the HonorHealth hospital/ medical campus near Shea Boulevard and 90th Street {emphasis added}.



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Character & Design Element

CD 1 Determine the appropriateness of all development in terms of community goals, surrounding area character, and context.

CD.1.1 New and revitalized development should respond to the regional, citywide, and neighborhood contexts in terms of:

- Scottsdale’s southwestern, Sonoran Desert characteristics, such as climate, native plants, topography, and history/culture.
- Scottsdale as a part of a larger metropolitan area with a unique image, character, and identity within the regional setting.
- Relationships and sensitivity to surrounding land forms, land uses, and transportation corridors.
- Compatibility with and sensitive integration into established neighborhood character, including historical preservation policies.
- Contributions to citywide linkages of open space, Growth Areas, and Activity Areas.
- Creation of new or reinvention of the existing character of an area, when necessary.
- Physical scale relating to human experience.
- Visual impacts on and accessibility to public settings, significant natural features, and neighboring properties.
- Impacts on and sensitivity to the natural environment.
- Public buildings and facilities that demonstrate the above principles.

CD 1.2 Consider the effects of building height, overall development density, and building orientation on adjacent neighborhood character, privacy, and view sheds

CD 1.3 Ensure that all development is a part of and contributes to established Character Types.

CD 1.4 Encourage transitions and blending of character between Character Types, including, open space areas, building height, massing, and orientation

RESPONSE: The request for PCP zoning, a mixed-use category, encourages a synergistic lifestyle and appropriate balance of land uses with an enhanced pedestrian environment. Scottsdale features a multi-generational population with retirees, families, boomers, and millennials seeking a vibrant and meaningful lifestyle. The Parque will bring generational and transformative billion-dollar reinvestment and revitalization to this well-located, declining and underutilized Property. The proposal will continue to re-energize the Scottsdale Airpark strengthening its position as the second largest employment district in the state. Further, Scottsdale was recently named the fastest growing startup city in the country (AZbigmedia.com). New high-income jobs and rooftops will also bolster nearby retail and commercial businesses further sustaining the economic impact and sustainability

of the Airpark area.

As noted above Urban Character Type areas “consist of higher-density residential, non-residential, and mixed-use neighborhoods, including apartments, high-density townhouses, business and employment centers, and resorts. Development in Urban Character Types should have pedestrian orientation, shade, activity nodes, and usable open spaces that encourage interaction among people.” The Parque has been thoughtfully designed in response to the Sonoran Desert climate and buildings will embody the use of solar shading, recessed windows, articulation, material selection, textures, paint colors, hierarchy of scale and massing in balance with the surrounding existing and planned context of the Scottsdale Airpark. The proposal promotes a rich desert landscape palette in a contemporary theme that celebrates the unique character and quality of the Sonoran Desert while providing an attractive setting for the buildings.

CD 3 Foster quality design that enhances Scottsdale as a unique southwestern desert and tourism community through development review processes.

CD 3.1 Strengthen Scottsdale’s economic and environmental attributes, distinctive character, and attractiveness through collaborative site

planning and design.

CD 3.2 Use existing, and adopt new comprehensive polices, guidelines, and design standards for use in the design and development review process, to ensure public and private development responds to and enhances the diverse character and contexts within our Sonoran Desert community.

RESPONSE: Redevelopment of this Property will add to and support the local and regional economic base generating additional substantial new revenue for the City. The Property is surrounded by a variety of retail, employment, and service-related business in the Scottsdale Airpark. The innovative vision and design creates engaging outdoor spaces and pedestrian pathways in and around the buildings. The Parque will advance the “Smart City” concept by being a confluence of technology, sustainability and healthful outdoor living providing a memorable experience for its residents, patrons, visitors, and employees while respecting the Sonoran Desert environment and celebrating the natural and built amenities of Scottsdale. Although specific building architecture is not being proposed with the zoning application, the Scottsdale Sensitive Design Principles will be upheld and reinforced through building design, landscaping and place making. Detailed design guidelines are provided with the Development Plan.

CD 4 Enhance the design of streets and public spaces to improve Scottsdale’s visual quality, experience, Sonoran Desert context, and social life.

CD 4.1 Promote contextually compatible streetscapes that correspond with the following classifications:

- **Urban Streetscapes encourage pedestrian comfort, safety, and accessibility using decorative elements, such as arcade-covered walkways, shade, pedestrian lighting, decorative paving and street crossings, transit shelters, seating, waste receptacles, and landscaping. Urban Streetscapes strive for equality among pedestrians, bicyclists, and automobiles in the design of the public realm.**

RESPONSE: Scottsdale Road is designated as a Visually Important Road and the Property is designated per the Character Type Map in the General Plan in an Urban Character subtype. As noted under CD1, the General Plan states that Urban Character areas consist of higher-density residential, non-residential, and mixed-use developments emphasizing the importance of usable open space that encourages interaction among people. Further, Urban Streetscapes are described as follows:



- Urban Streetscapes encourage pedestrian comfort, safety, and accessibility using decorative elements, such as arcade-covered walkways, shade, pedestrian lighting, decorative paving and street crossings, transit shelters, seating, waste receptacles, and landscaping. Urban Streetscapes strive for equality among pedestrians, bicyclists, and automobiles in the design of the public realm.

The Parque will be a walk-friendly community with architecture and massing that caters to the pedestrian by providing visual interest and a series of shaded corridors and a strong visual presence of open space along Scottsdale Road into the site. The 2 +/- acre Central Park space is the core design element for The Parque and place making through the implementation of landscaping, shading, public art, seating and gathering spaces to create a destination experience for Scottsdale residents and visitors.

CD 5 Promote the value and visual significance landscaping has on the character of the community.

CD 5.1 Employ appropriate heat island reduction techniques to reduce the effects of reflective heat and glare on buildings and paved surfaces.

CD 5.2 To the greatest extent possible, replace dead and dying landscaping with drought resistant plants to maintain or improve density pattern, shade, and area character.

RESPONSE: With over 28% open space, landscaping is an important component of The Parque’s synergy and highly integrated pedestrian experience. Additionally, given the desert climate and warmer temperatures of Scottsdale, shading and refuge are significant considerations for the plant selection, tree placement and hard scape design. Mature landscaping will be integrated throughout the development as well as along the perimeter streetscape resulting in passive cooling and reducing the urban heat island effect. The landscape character will include predominately desert-lush design with a variety of Southwestern plants that will provide year-round color, shade, and texture for the Property and demonstrated with the landscape plan. Vegetation will include plants proven to thrive in our desert climate while creating a shaded vegetative pedestrian experience greatly improving the existing condition of the site.

CD 6 Minimize light and noise pollution.



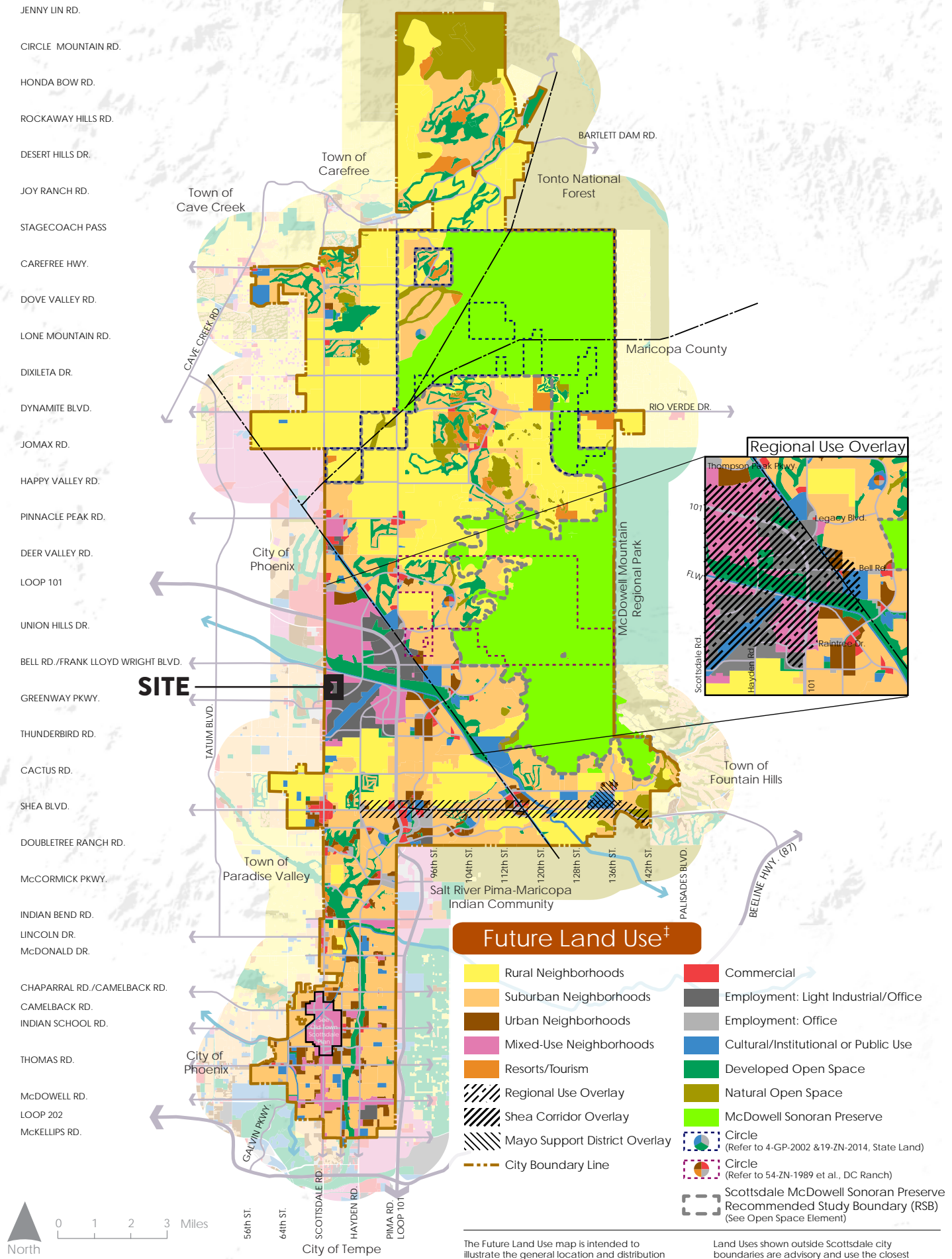
CD 6.1 Support Scottsdale's dark sky areas and designation as an Outdoor Light Control City by reducing light pollution, glare, and trespass where possible, while still attending to public safety needs.

CD 6.2 Encourage creative, energy-efficient, and high-quality designs for outdoor lighting that reflect the character of the local context.

RESPONSE: Lighting will be designed in a manner that is respectful of the surrounding context while maintaining safety for residents, patrons, and visitors. Energy efficient lighting designs will be commensurate with the high-quality architecture proposed for The Parque, low-level with no glare or excessive intrusion for adjacent properties. Lighting will be placed in a thoughtful way to provide safe pedestrian way finding at night and highlight paths leading along the street frontage.



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Land Use Element

- **MIXED-USE NEIGHBORHOODS:** Mixed-Use Neighborhoods focus on human-scale development and are located in areas with strong access to multiple modes of transportation and major regional services. These areas accommodate higher-density housing combined with complementary office or retail uses. Mixed-Use Neighborhoods are most suitable near and within Growth and Activity Areas. Mixed-Use Neighborhoods may be non-residential in the Greater Airpark Character Area. (Emphasis added)
- **REGIONAL USE OVERLAY:** The Regional Use Overlay Category provides flexibility for land uses when it can be shown that new land uses are viable in serving a regional market. Regional uses include, but are not limited to, corporate office, region-serving retail, major medical, educational campus, community service facilities, tourism, and destination attractions. In determining whether proposed land uses are regional in nature, the city will consider whether the use has a regional draw, fulfills current economic development policies, enhances the employment core and the city’s attractiveness to regional markets, benefits from good freeway access, and complements the established character for the area

LU 1 Enhance Scottsdale’s economic viability by encouraging land uses that reinforce the city’s reputation as the premier international tourist destination in the Southwest and sustain the city’s role as a regional cultural center and economic hub. Land uses should be compatible with Scottsdale’s character and physical appearance.

LU 1.1 Encourage land uses that preserve a high quality of life and further define Scottsdale’s sense of place within the region.

LU 1.3 Promote development patterns that integrate with and reinforce the character of an area. The city will continually review development patterns to ensure consistency of development in areas with fragmented or evolving patterns.

LU 2 Sensitively transition and integrate land uses with the surrounding natural and built environments.

LU 2.1 Ensure neighborhood “edges” transition to one another through compatible land uses and development patterns.

RESPONSE: Scottsdale is known for, among others, its resort lifestyle and a wide range of housing options, including workforce housing, for its residents and tourist accommodations for its visitors. Scottsdale has also created a successful employment hub in the Scottsdale Airpark; promoting the live, work, play philosophy. The proposed mix of uses for The Parque will combine 5-star tourist accommodations, residential, office and ground level supporting commercial retail and services, anchored by a Central Park open space amenity. The Central Park anchors a pedestrian network connecting the proposed mix of uses and creating a series of interactive public spaces. This type of mixed-use site planning, with mutually supportive businesses and land uses, will further strengthen Scottsdale’s high-quality lifestyle and its economic base. Integrating a mixed-use community into the Scottsdale Airpark area is consistent with numerous goals and policies of the 2035 General Plan by encouraging a mix of synergistic land uses further strengthening the economic sustainability of the Scottsdale Airpark. This proposal will bring an estimated \$1 billion reinvestment to an underutilized site. The building massing is designed to respectfully integrate with the surrounding building heights by proposing a variety of heights and architectural elements.

LU 3 Maintain a balance of land uses to

support a high quality of life.

LU 3.1 Allow for the diversity and innovative development patterns of residential uses and supporting services to provide for the needs of the community.

LU 3.2 Integrate housing, employment, and supporting infrastructure, primarily in mixed-use neighborhoods and Growth and Activity Areas, to support a jobs/ housing balance.

LU 3.3 Maintain a citywide balance of land uses and consider modifications to the land use mix to accommodate changes in community vision, demographic needs, and economic sustainability.

LU 3.4 Provide an interconnected, accessible open space system, which includes pedestrian and equestrian links, recreation areas, canals, and drainage ways.

LU 3.5 Engage the community in all land use discussions.

RESPONSE: The revitalization of the CrackerJax site, an aging recreational facility in a prime Airpark location, will bring long-term economic stability and support a high quality of life through the creation of residential, 5-star tourist accommodations, Class-A office, workforce housing and supporting retail land uses. Per the

2035 General Plan, the Property is within the Mixed-Use Neighborhoods designation with a Regional Use Overlay. Further, the site is located within the Greater Airpark Growth Area boundary. As noted above, Mixed-Use Neighborhoods focus on human-scale elements and are located in areas with strong access to multiple modes of transportation and major regional services and the Regional Use Overlay Category provides flexibility for land uses serving a regional market. The Parque implements these goals and provides a 2+/- acre Central Park destination creating a meaningful community open space available to the public as the complementary northern “book end” to the Civic Center Plaza in Old Town.

LU 4 Develop context appropriate land use patterns that support a variety of compatible mobility choices and services.

LU 4.1 Integrate land uses and transportation systems to allow for a variety of mobility choices.

LU 4.2 Provide opportunities for pedestrian-oriented development, reduced parking demand, and context appropriate mobility choices.

RESPONSE: The Property is located on Scottsdale Road approximately two miles west and approximately 1.5 miles south of the Loop 101, all of which provides regional access. Creating

and fostering a mix of land uses will inherently lend itself to utilizing alternative modes of transportation, such as by foot, transit, and bicycle thereby reducing reliance on vehicles and parking demand. The live, play, work interchange of land uses situated in a premier Airpark location increases the efficient movement of people by locating them close to employment and support services, thereby minimizing vehicular trips on the regional transportation network. The Parque will be placing an emphasis on walk ability to celebrate the pedestrian experience and activate the ground level plane. The Central Park open space destination, connective site design, variety of land uses, integration of rich desert landscaping, and focus on public art will all contribute to an enlivened and meaningful pedestrian experience. The character of these details is provided in the design guidelines included in this Development Plan. The Parque’s network of pedestrian-ways will further connect in numerous locations to the adjacent City sidewalk system for access to nearby businesses major retail such as the Scottsdale Promenade to the north and Scottsdale Quarter to the south. The proposed buildings and site design encourage residents, employees, and visitors to utilize the surrounding businesses for their everyday dining and retail needs.

LU 5 Promote land use patterns that

conserve resources, including land, clean air, water, and energy.

LU 5.1 Encourage a variety of compatible mixed-use land uses within or next to Growth and Activity Areas, along major streets, and within particular Character Areas to reduce automobile use and improve air quality.

LU 5.2 Concentrate greater development intensities in Growth and Activity Areas, thereby reducing development pressures in low-density areas and conserving energy

RESPONSE: Integrating mixed-use on an underutilized site located in the Greater Airpark Growth Area will offer a wider range of housing and tourism choices for the residents and visitors of Scottsdale. The location of the Property near abundant retail, restaurants, and support services is ideally situated for redevelopment. This synergy of land uses and implementation of workforce residential inherently allows for the conservation of resources, reduced vehicle trips, and improved air quality.

LU 6 Attract and retain diverse employment, business, and retail land uses to improve the economic well-being of Scottsdale's residents.

LU 6.1 Promote opportunities for the expansion and revitalization of employment and commercial uses within the city.

LU 6.2 Support well-planned, clustered employment centers of related or similar uses such as Healthcare and Research and Development land uses.

LU 6.3 Encourage commercial land uses of similar scale and character in proximity to or within medium- to high-density residential areas to promote walkable connections

RESPONSE: This well-located redevelopment parcel currently contains the aging 28-year old CrackerJax amusement park with a large portion of the site utilized for an outdoor driving range. The site previously received GPA approval from the City Council for the AMU-R land use category in 2011 with anticipation of a zoning case to follow once a more detailed Development Plan was established. The redevelopment proposed pursuant to this application implements the previous GPA approval and provides revitalization and more productive and supportive economic uses for this core area of the Scottsdale Airpark contributing to the area's long-term stability.

LU 7 Protect the viability of the Scottsdale Airport by encouraging compatible land uses and development types in the surrounding area.

LU 7.1 Maintain and follow the Airport Part 150 Noise Compatibility Program. Noise contours and other related information must be disclosed to all potential residents and businesses according to the Airport Influence Area and Noise Contour Maps.

LU 7.2 Maintain Runway Protection Zones next to the Scottsdale Airport.

LU 7.3 Support aviation-related economic development opportunities and land uses near the Scottsdale Airport.

RESPONSE: The Parque is situated on a well-located but underutilized parcel surrounded by thriving retail and office/employment land uses, which makes it ideal for mixed-use redevelopment in conformance with the existing AMU-R designation. The Property is located in the AC-1 Airport Compatibility District well outside the 55 DNL line but will be designed with upgraded building materials to provide appropriate sound attenuation. Buildings will maintain and follow the Airport Part 150 Noise and Land Use Compatibility Program. See conical surface map prepared for The Parque. Sound attenuation

measures, noise disclosures, FAA notification and filings, and aviation easements will be provided in conformance with City regulations.



Arts, Culture, and Creative Community Element

AAC 2 Build on Scottsdale’s reputation as the regional leader and widely-recognized destination in arts, culture, and creativity.

ACC 2.1 Increase promotion of Scottsdale’s vibrant arts and cultural programs.

ACC 2.2 Welcome new districts that celebrate the city’s tradition of arts and culture and support the revitalization of existing arts-related districts.

RESPONSE: The Scottsdale Airpark is currently not a cultural or arts destination within Scottsdale. The Parque will establish a new standard for culture and arts within the area. Although there is not a required public art budget, The Parque will have an arts program that enhances all types of pedestrian zones with cultural installations. This will include scaled installments in parks, open spaces, streetscapes, plazas and on building facades. The goal is to create a one-of-a-kind community gathering space. The best way to ensure a local feel for these gathering spaces is to infuse local culture and arts into the experience.

ACC 3 Promote creative place making to revitalize neighborhoods, enhance sense of place, celebrate cultural heritage, and strengthen community character.

ACC 3.2 Encourage public art that reflects the city’s past, present, and future.

ACC 3.3 Promote the co-location or clustering of arts-related uses, enterprises, and artistic venues near supporting activities.

ACC 3.4 Integrate public art at various scales into the built environment citywide.

RESPONSE: A core principle of The Parque is creating a complete local community. Art and culture are the foundation of that community and will be defined through scaled installations in a variety of public realms. Streetscapes, parks, plazas and buildings will be locations for locally inspired public art and artistic installations. Furthermore, public spaces will be programmed with community based activities that promote gathering and celebrating local and regional Sonoran history.



SUSTAINABILITY AND Environment

Open Space Element

OS 5 Provide developed open space and outdoor opportunities in Scottsdale neighborhoods, giving priority to areas that are most lacking open space.

OS 5.1 Ensure that open spaces in public ownership remain unrestricted and accessible to community members for compatible recreational use.

OS 5.2 Locate publicly accessible and usable open spaces within Growth and Activity Areas and established neighborhoods.

OS 5.3 Capitalize on opportunities to create new, or connect and expand existing, open spaces in established areas when redevelopment occurs.

RESPONSE: The airpark district in North Scottsdale currently lacks publicly accessible community open space. The Parque Development proposes a generous area open space including a roughly 2-acre Central Park. The central park space will be privately maintained but feature public amenities to serve residents and the greater community. Building massing and placement facilitate views into the open space while and the pedestrian circulation system directly connects public walkways with the central green space. Along with a large central green space, the development aims to create an integrated, shady pedestrian and bike friendly circulation system that expands green links throughout the site creating a comfortable and welcoming place to stroll and exercise.

OS 6 Design and manage open spaces to relate to surrounding land uses and character.

OS 6.1 Evaluate the design of open spaces with the following primary determinants: aesthetics, neighborhood and service area needs, public safety, visual and functional connectivity, social and economic impacts, maintenance requirements, water consumption, drainage considerations, multi-use, Character Area, desert preservation, and wildlife corridor protection.

OS 6.5 Provide ample shade in public open spaces as appropriate for the type of open space

RESPONSE: The Parque central open space will become a community hub for the greater airpark area. The development aims to be a catalyst for redevelopment and investment into the area. As

such, the program and design of the space address current surrounding land use conditions, but also set a vision for the future of the surrounding neighborhoods. The development team will engage the surrounding community and City to design the open spaces that complement the surrounding and proposed aesthetics, and provide program to fulfill service area needs.

The open space design will be coordinated with building massing and ground floor design to provide shaded walkways throughout the site. This will be done with a combination of vegetative shade and architectural shade. Further, buildings are laid out in such a way as to provide views into and through the green space aiding in the perceptions of accessibility and connection

The Parque development will be designed to create multiple entry points into the site with priority of bicyclists internal to help create a multi-modal culture and integrate into the existing bike and pathway systems that exist in the area.

OS 8 Acquire new, expand existing, and improve established open spaces for public use

OS 8.1 Require landowners in the development process to dedicate usable public open space in new development.

OS 8.3 Require new development and redevelopment to connect and provide public access to neighboring open spaces, park sites, or planned open spaces.

OS 8.8 Increase the city's tree canopy to provide more shade, particularly in high-volume pedestrian areas, such as public parks, recreation facilities, and Growth and Activity Areas.

RESPONSE: With the allocation of roughly 2 acres of public open space within the development, smaller open space nodes and publicly accessible streets and corridors the project aims to create fluid and walkable open space network that will be connected to public walkways. These walkways will be shaded via the over 750 trees that are proposed within the development providing the framework for a new urban forest as well as mitigate heat island effects.

Environmental Planning Element

EP 1 Protect and enhance Scottsdale's human and Sonoran Desert habitats.

EP 1.3 Require developments to retain and integrate the Sonoran Desert ecosystem.

EP 1.4 Preserve local plants, wildlife, and natural resources to maintain the biodiversity and

long-term sustainability of the area's ecology.

RESPONSE: This will be a redevelopment of a previously developed site that has little to no ecological value. The mix of desert adapted urban and native trees and shrubs will provide opportunity to support wildlife habitat within the development. The idea of creating a desert arboretum with partnerships with the Desert Botanic Gardens and McDowell Mountain Preserve have been discussed to further the connection with our Sonoran Desert landscape.

The landscape plan aims to increase biodiversity and the long-term sustainability and vitality of the site from the current condition.

EP 2 Demonstrate and expand the city's leadership in environmental stewardship and sustainability.

EP 2.4 Expand Scottsdale's Green Building Program to maintain regional and national leadership in green and low-impact development.

RESPONSE: The Parque is currently investigating the implementation of a central plant using centralized chilled water available for all building mechanical systems on site (campus).

Additional energy efficiency measures include:

- A 'Conserve and Manage' approach to energy on-site, treat as a closed loop system, develop and explore net zero goals, track, manage, and store usage data.
- Design all parking with 100% EV ready parking, ensure load capacity site wide includes future capacity for maximum EV.
- Design efficiency into core development standards, high performance buildings connected to BAS (Building Automation Systems). Photovoltaics included after designing for exceptional performance, track and measure using building controls, automate lighting, plug load controls, occupancy days/times.
- Design for high performance buildings: energy modeling as a design tool, compare mechanical systems, envelope strategies early in design, explore heating and cooling load management strategies.

EP 3 Participate in local and regional efforts to improve air quality.

EP 3.1 Reduce automobile emissions through traffic management; transportation improvements; promotion of a wide variety of mobility options; travel demand reduction strategies; expansion

of regional connectivity; and use of electric and alternative fuel vehicles

RESPONSE: All building on-site use climate specific orientation: massing, landscape, shade structures, canopies, and recessed openings mitigate direct solar impact and lesson required cooling loads. The landscape design will be fully coordinated with building massing and ground floor design to provide shaded walkways throughout the site. This will be done with a combination of vegetative shade and architectural shade. Further, buildings are laid out is such a way as to provide views into and through the green space. Renewables are included in the project design to ensure an offset of energy used on-site.

Sustainable design measures for the project include:

- Select and specify local and regional materials (indigenous materials per IgCC)
- Thoughtful use and design of materials to reduce overall material use (i.e. designing with design parameters to limit waste, i.e. limit cuts to drywall etc.)
- Design for durability
- Construction waste management requirements

in IgCC, achieve above and beyond requirements

- Provide equal volume for trash and recycling, at site level and individual residential level, provide compactors for both
- Select and specify materials for durability and resiliency

EP 5 Encourage environmentally sound green buildings and low-impact site plans that support sustainable desert living.

EP 5.2 Increase the use of green infrastructure, including low-impact development (LID) storm water management techniques, such as curb openings and permeable pavement.

EP 5.3 Construct durable and sustainable buildings using green building principles.

EP 5.4 Promote passive solar site and building design strategies that recognize and respond to the Sonoran Desert climate.

EP 5.5 Expand Green Building construction standards to include all new and remodeled residential and commercial buildings.

RESPONSE: The Parque development is

a restorative redevelopment of a previously developed site that has not fully realized the ecological and environmental value inherent to the site. We are developing partnerships with the Desert Botanical Gardens and McDowell Mountain Preserve by coordinating an on site desert arboretum connecting visitor and residents with our Sonoran Desert landscape.

Additionally, The Parque utilizes Low Impact Development Standards by:

- Conservation of natural areas whenever possible
- Minimizing the development impact on existing hydrology
- Maintaining runoff rate and duration from site
- A variety of Best Management Practices are used throughout the site including structural and non-structural measures.
- Site wide implementation of storm water pollution prevention, proper maintenance, and public education programs
- Other measures used include bio-retention cells, storm water retention, site wide storm water capture and re-use infrastructure, ‘desert lush’ vegetated areas, recycled materials, and

sustainable site furnishings.

Additionally, the buildings on-site use the International Green Construction Code, the green building code includes site, transportation, landscape, water, energy, waste management measures, as well as sustainable building materials. The project will utilize a tenant lease agreement with tenants to ensure the green building measures are expanded and implemented over time for inclusion in all future tenant spaces. All buildings on-site use climate specific orientation: massing, landscape, shade structures, canopies, and recessed openings to mitigate direct solar impact and lessen required cooling loads. The proposed development includes 750 new trees within the project sit, providing the framework for a new urban forest as well as aiding in the mitigation of the heat island effect.

EP 7 Identify and reduce heat islands.

EP 7.1 Identify areas most impacted by the heat island effect, and prioritize mitigation for these areas to reduce heat impacts.

EP 7.2 Incorporate development strategies such as shared parking models and the use of “cool materials” (e.g., landscaping, green roofs, reflective pavement, heat reduction asphalt coatings,

permeable concrete, and treated dirt areas) to help reduce the heat island effect.

EP 7.3 Develop and support programs, such as a Tree Canopy Plan, that identify and increase vegetation and shading in areas of high pedestrian activity.

EP 7.4 Promote the long-term management and maintenance of urban and open area vegetation and protect and expand the provision of private and public open spaces to reduce the heat island effect.

EP 7.5 Minimize asphalt and promote alternative parking surfaces.

RESPONSE: The Parque development will employ several design strategies to reduce heat island. These include utilizing high albedo concrete pavement for internal roads (reducing asphalt), using permeable pavers for street parking (use of alternative parking surfaces) and the planting over 750 trees that will provide a new urban forest and provide ample shade as part of the Tree Canopy Plan.

EP 8 Plan, prepare, and adapt for significant climate impacts on city infrastructure and operations.

EP 8.1 Develop, adopt, and implement climate action and resiliency strategies that address areas of climate mitigation planning such as emissions, drought, energy, transportation, and extreme heat.

EP 8.2 Increase energy efficiency in buildings and vehicle fleets.

EP 8.3 Encourage use of clean, renewable energy sources.

EP 8.4 Employ green building and green infrastructure best practices.

EP 8.5 Establish land use and mobility plans that decrease transportation carbon emissions.

EP 8.6 Encourage waste reduction and water conservation.

RESPONSE: The project will implement and develop a site wide 'Protect and Conserve' strategy with water conservation measures using specific water management strategies appropriate for the building program. Also included in the planning is a water resiliency risk assessment and water resiliency plan for maintaining operations of critical functions with future water limitations. Additional resiliency measures include condensate collection

and re-use in landscape or cooling tower makeup (or pools), and rainwater collection and re-use on site (landscape/ pools).

The IgCC requires the use of renewable energy on-site, energy modeling will be used to determine each of the planned building's predicted energy use and for sizing the appropriate PV system sizing to accommodate the IgCC requirements. Included in the development guidelines is a site wide energy resiliency risk assessment and plan for maintaining operations of critical functions with loss of power. De-carbonization efforts may include using new concrete materials using CO2 capture entrapment.

Conservation Element

CONSV 1 Achieve a sustainable balance between the conservation of natural resources and development of the built environment.

CONSV 1.4 Encourage landscape designs that promote water conservation, prevent erosion, reduce the heat island effect, and decrease storm water runoff.

CONSV 1.5 Protect and restore ecosystems that maintain water quality, reduce flooding, and enhance sustainable resource development.

RESPONSE: Landscape designs will feature

desert native or adapted vegetation utilizing high efficiency drip irrigation that includes weather and rain sensing technology. The development will employ low impact development strategies including permeable pavement and micro-basins that reduce the storm water load on large drainage infrastructure. Landscape areas withing plaza and streetscape sections will collect and filter storm water and facilitate percolation and restoration of groundwater.

CONSV 2 Protect and manage Sonoran Desert biodiversity and native ecosystems.

CONSV 2.1 Preserve, salvage, and/or restore native plants, wildlife habitat, and natural resources to maintain the biodiversity and long-term sustainability of the area's desert ecology and character.

CONSV 2.2 Encourage landscaping that limits the amount of grass and makes optimal use of native desert plants.

RESPONSE: The Parque development aims to restore biodiversity to the site by creating a lush desert landscape featuring low water use desert adapted trees with durable ground covers and areas of pollinator and botanic gardens that provide educational opportunities. While turf is proposed

on site, it is limited to the central park and other highly programmed areas to serve a community benefit while also providing cooling effects via evapotranspiration. Prior to construction, the health of existing tree vegetation on site will be evaluated and documented to create an inventory and salvage plan prioritizing the salvage and reuse of existing native tree and cacti species on site.

CONSV 4 Conserve water and encourage the reuse of wastewater.

CONSV 4.7 Support rainwater harvesting and storm water capture in site planning and building design.

CONSV 4.8 Explore new and evolving water conservation and reuse technologies and use them as appropriate.

RESPONSE: Multiple methods of conservation and reuse of water will occur within The Parque development. Through the implementation of low impact development strategies, we will collect and filter all storm water on site through the use of permeable pavements or surface flowing storm water to basins, bioswales and rain gardens. The development will also collect and reuse condensate water from the surrounding buildings to help supplement irrigation requirements. The irrigation

system will be designed in a way to reduce overall water usage by utilizing weather sensing technology as well as underground turf irrigation that eliminates evaporation water loss. The development intends to collect and showcase water collection data and provide that information to the City as a case study for best practices.

Energy Element

E 2 Reduce per capita energy consumption and promote energy efficiency.

E 2.3 Explore emerging smart energy technologies.

E 2.4 Support development of regional waste-to-energy facilities.

E 2.5 Encourage local industries to adopt energy efficiency measures and renewable energy to minimize the environmental impacts of their operations.

RESPONSE: The Parque is currently investigating the implementation of a central plant using centralized chilled water available for all building mechanical systems on site (campus).

Additional energy efficiency measures include:

- A ‘Conserve and Manage’ approach to energy on-site, treat as a closed loop system, develop and explore net zero goals, track, manage, and store usage data.
- Design all parking with 100% EV ready parking, ensure load capacity site wide includes future capacity for maximum EV.
- Design efficiency into core development standards, high performance buildings connected to BAS (Building Automation Systems). Photovoltaics included after designing for exceptional performance, track and measure using building controls, automate lighting, plug load controls, occupancy days/ times.
- Design for high performance buildings: energy modeling as a design tool, compare mechanical systems, envelope strategies early in design, explore heating and cooling load management strategies.

E 3 Promote building and site designs that maximize energy efficiency.

E 3.1 Encourage the use of natural properties and sustainable building systems (e.g., sun, shade, thick walls, insulation) to reduce the demand for and use of mechanical cooling and

heating systems.

E 3.2 Encourage the use of drought tolerant landscaping to reduce summer solar heat gain.

E 3.3 Promote solar energy opportunities in building and site design.

E 3.4 Incorporate healthy, resource- and energy-efficient materials and methods in design, construction, and remodeling of buildings.

E 3.5 Orient buildings and lots in ways that minimize summer solar heat gain, maximize roof solar access and natural ventilation, and limit roof solar access obstructions of neighboring structures.

E 3.6 Improve the energy efficiency of the building envelope, heating and cooling systems, lighting, and appliances.

RESPONSE: All building on-site use climate specific orientation: massing, landscape, shade structures, canopies, and recessed openings mitigate direct solar impact and lesson required cooling loads. The landscape design will be fully coordinated with building massing and ground floor design to provide shaded walkways throughout the site. This will be done with a combination of vegetative shade and architectural shade.

Further, buildings are laid out in such a way as to provide views into and through the green space. Renewables are included in the project design to ensure an offset of energy used on-site.

Sustainable design measures for the project include:

- Select and specify local and regional materials (indigenous materials per IgCC)
- Thoughtful use and design of materials to reduce overall material use (i.e. designing with design parameters to limit waste, i.e. limit cuts to drywall etc.)
- Design for durability
- Construction waste management requirements in IgCC, achieve above and beyond requirements
- Provide equal volume for trash and recycling, at site level and individual residential level, provide compactors for both
- Select and specify materials for durability and resiliency



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COLLABORATION & ENGAGEMENT

Community Involvement Element

CI 1 Seek early and ongoing community involvement through broad public input in project and policy-making discussions.

CI 1.1 Maximize opportunities for early notification of proposed projects using a variety of methods.

CI 1.2 Use public involvement plans to identify and engage interested parties and provide opportunities for information exchange.

RESPONSE: Public participation and community outreach is a critical part of the rezoning process. Technical Solutions began neighborhood outreach early in the process and maintains on-going dialogue with the community and stakeholders. Feedback from one-on-one meetings, phone calls, and the required open house meeting is shared with City Staff and memorialized in the Public Participation plan submitted with this application.



COMMUNITY WELL-BEING

Healthy Community Element

HC 3 Build on Scottsdale's leadership role in wellness and healthful living.

HC 3.1 Provide quality recreation, community events, and neighborhood services that foster physical activity and encourage healthful living.

HC 3.4 Continue to foster and market Scottsdale as a resort, wellness, rejuvenation, and healthcare destination.

RESPONSE: The Parque offers a healthful lifestyle anchored on the 2+/- acre Central Park public amenity with engaging outdoor spaces and pedestrian pathways in and around the buildings. The site design creates numerous opportunities for open space pockets and activated plaza spaces woven around the ground level retail and restaurants to be enjoyed by residents, patrons, employees, and visitors alike, and experience the lifestyle Scottsdale is well-known for. The Parque will advance the "Smart City" concept by being a confluence of technology, sustainability and healthful outdoor living providing a memorable experience for its users while respecting the Sonoran Desert environment and celebrating the natural and built amenities of Scottsdale. The Property's proximity to retail/support services, state of the art medical care, recreational



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opportunities, and multi-modal transportation alternatives further promote healthful living and wellness.

Housing Element

H 1 Support diverse, safe, resource-efficient, and high-quality housing options.

H 1.1 Maintain Scottsdale's quality-driven development review standards for new development.

H 1.2 Promote complementary physical design, building structure, landscaping, and lot layout relationships between existing and new construction.

H 1.3 Ensure community dialogue during zoning and the development review processes to encourage context appropriate development designs.

H 1.4 Support the creation of mixed-use projects, primarily in Growth and Activity Areas, to increase housing supply withing walking distance of employment, transportation options, and services.

H 1.5 Encourage a variety of housing densities in context-appropriate locations throughout Scottsdale to accommodate projected

population growth.

RESPONSE: Scottsdale is experiencing a growing population and thus an increased demand for housing options. This proposal will meet the growing need residential while also providing workforce, below market rate, offerings further contributing to the long-term economic prosperity of the surrounding area. Further, The Parque will help diversify the local economy and support a sustainable economic future for the City.

Recreation Element

R 2 Provide and enhance recreational opportunities that meet the diverse needs of Scottsdale's citizens and visitors.

R 2.1 Provide neighborhood parks that are easily accessible to local residents and provide recreational opportunities reflective of the surrounding neighborhood's needs and preferences.

R 2.2 Locate community parks where they are accessible from relatively long distances. Community parks concentrate a broad range of recreational and human service activities for major parts of the city.

R 2.5 Develop and maintain a citywide

interconnected network of trails to provide valuable recreation and fitness opportunities for residents and visitors. Where possible, trails should connect to neighborhoods and serve major destinations.

R 2.6 Provide multi-generational recreation programming and facilities, that consider the full spectrum of community and special social or physical needs, interests, and financial resources.

R 2.7 Offer quiet spaces in parks, recreation facilities, libraries, and public spaces to accommodate passive recreation.

RESPONSE: The 2+/- acre Central Park open space amenity will serve as a destination and is the focal point of The Parque providing a large multi-purpose community gathering space. The public open space programming may include, but will not be limited to, a large multi-purpose turf field, flexible market space, event lawn, solar pavilion, splash pad, sculpture garden, interactive art, outdoor dining, dog park, fitness path, and outdoor workspaces offering multi-generational amenities to its users. The Parque provides design elements that cater to the pedestrian through architectural elements, landscape, hard scape, and way finding. Smaller more intimate open space areas will include a range of amenities such as raised planters, seat

walls, and shade elements to create outdoor living and workspaces for people to gather, work and relax. The residential and hotel components will also have their own open space amenities including pools, shade cabanas, furniture, and shade trees to create a resort-like feel for those uses. Beyond the boundaries of the project, The Parque will further broaden the current range of land uses in the area and create a community that interacts with the surrounding sidewalk and bike system in numerous locations strengthening the interconnected network established in the Scottsdale Airpark.

Safety Element

S 6 Protect the health, safety, and welfare of the public from the impacts of flooding.

S 6.1 Identify drainage system needs and make improvements where flood control problems exist.

RESPONSE: A drainage report is provided with the zoning application addressing the public safety and welfare of residents with respect to drainage systems in conformance with City requirements.



CONNECTIVITY

Circulation Element

C 1 Design and improve transportation corridors to safely and efficiently move people and goods.

C 1.1 Support the public transit system to assure adequate and affordable access to and within our community for citizens, employees, visitors, and businesses through the use of future technologies and micro-mobility options.

C 1.2 Coordinate transportation and land use planning to enhance an integrated, sustainable transportation system that promotes livable neighborhoods, economic vitality, safety, efficiency, mode choice, and adequate parking.

C 1.3 Reduce conflict points between various modes of travel, for example, where the paths of vehicles and bicycles, pedestrians, or equestrians, cross, diverge, or merge.

C 1.4 Protect regional corridor traffic flow, function, and safety by using grade separations for non-motorized travel.

C 1.5 Incorporate strategies and technologies that efficiently move people, improve transportation system capacity and enhance mobility choices.

C 1.6 Provide connections that ensure functional and uninterrupted movement between transportation modes through Intelligent Transportation Systems and industry standard, best practices.

C 1.7 Retrofit aging neighborhood infrastructure and streets and create non-motorized neighborhood connections to enhance livability, safety, accessibility, and comfort.



RESPONSE: The Parque is situated on a well-located but underutilized parcel surrounded by thriving retail and office/employment land uses, which makes it ideal for redevelopment. Multi-modal transportation options will be available to visitors, residents and employees including, but not limited to walking, bicycling, ride share and public transit. Scottsdale Road, Paradise Lane, and Dial Boulevard/73rd Street are designated as a Pedestrian/Bicycle Corridor in the GACAP, which provides a framework for the walkable environment promoted by the design for The Parque. As noted above, the Central Park open space amenity along with more passive open space elements places an emphasis on the pedestrian promoting walkability and healthful living.

The Property is located on Scottsdale Road and is approximately two miles to the west and approximately 1.5 miles to the south of the Loop 101, all of which provide regional vehicular access. The existing transit stop along the Scottsdale Road frontage will be improved with the redevelopment of the site providing a direct connection into The Parque. Additionally, designated areas will be reserved for Uber and Lyft ride share access as well as other forms of transit, electric vehicle charging stations will dispersed throughout, and bicycle racks/storage along with bicycle stations for repair and maintenance will also be provided on site.

C 2 Reduce the number, length, and frequency of automobile trips to improve air quality, reduce traffic congestion, and enhance quality of life and the environment.

C 2.1 Encourage a mix of land uses that will reduce the distance and frequency of automobile trips and support mobility choices.

C 2.2 Integrate a variety of mobility choices along local and regional transportation corridors.

C 2.3 Reduce demands on transportation networks by using trip reduction strategies and travel demand management techniques, including technology and applications, telecommuting, alternative work schedules, carpooling, and transit/bicycling incentives in order to provide travelers with effective choices to improve travel reliability.

C 2.4 Work with employers to provide incentives and encouragement for trip reduction strategies.

C 2.5 Promote non-motorized travel for short neighborhood trips.

RESPONSE: Creating and fostering a mix of land uses will inherently influence people to utilize alternative modes of transportation, such as transit,

walking and bicycling, thereby reducing traffic congestion and improving mobility opportunities. As mentioned above, the Property is well-situated for regional access while also taking advantage of transit opportunities and promoting walkability. The design implements a range of General Plan goals and policies revolving around the Central Park open space destination and creating a pedestrian presence with ground level activity and a shaded, comfortable environment through landscaping.

C 3 Continue to develop an effective, safe, and connected multi-modal transportation system (e.g., streets, trails, bike ways, shared-use paths, transit).

C 3.2 Create a diversity of mobility choices in Growth and Activity Areas, which have the greatest intensity of development.

C 3.4 Integrate regional employment and commercial centers into the regional multi-modal system.

C 3.5 Increase accessibility to transit options through non-motorized and other transit connections, such as, neighborhood circulators; on-demand transportation network companies; improved/enhanced sidewalks, multi-modal paths, bicycle lanes; and non-motorized options for the

final mile to reach public transit services.

C 3.6 Create, preserve, and enhance multi-modal connections between residential areas and neighborhood-supporting land uses.

RESPONSE: The Parque is located in the Scottsdale Airpark, a designated Growth Area. The Growth Area Element of the General Plan approaches growth management from a perspective of identifying those areas of the community that are most appropriate for development focus and will best accommodate future growth. In these areas, the city seeks design that will support well planned concentrations of a variety of uses, such as residential, tourism, office, and commercial land uses. Well-located, mixed-use site design lends itself to multi-modal transportation options allowing people to explore a variety of mobility opportunities and strengthening connections with the adjacent and surrounding context.

C 8 Provide a comfortable and accessible transportation system to increase ability to reach goods, services, and activities. Many factors affect accessibility, including mobility (physical movement), the quality and affordability of transportation options, transportation system connectivity, and land use patterns.

C 8.1 Provide pedestrian safety, comfort, and amenities that reflect streetscape design and character of an area.

RESPONSE: The streetscape design and ground level activity will foster comfort and ease of walkability for residents, visitors, and employees. The Property is located on Scottsdale Road, which is a Visually Significant Roadway (per the Open Space Element) and the streetscape design for The Parque is a balance of functional requirements such as building placement, access and visibility, but further focus is also given to the character of the edge condition through landscaping, lighting and hard scape design. The landscape design will conform to the Scottsdale Road Streetscape Guidelines utilizing a plant palette that recognizes the importance of a shaded pedestrian experience and interplay with the busy traffic along Scottsdale Road.

Bicycling Element

B 1 Develop continuous, accessible, and interconnected bicycle networks.

B 1.1 Continue to participate in regional bike way system planning.

B 1.2 Promote convenient connections between on-street and off-street bicycling

networks throughout the city and with neighboring jurisdictions.

B 1.3 Continue to integrate bicycle lanes and buffered bicycle lanes through street re-striping and other techniques.

B 1.4 Continue to expand and enhance off-street bicycling networks, and connect them to existing and planned on-street bicycle networks.

RESPONSE: Scottsdale Road, Paradise Lane and Dial Boulevard/73rd Street are all Airpark Signature Corridors adjacent to the Property and are also designated as a Pedestrian/Bicycle Corridors in the GACAP. Additionally, Greenway-Hayden Loop (to the south) and Frank Lloyd Wright (to the north) are designated as Signature Corridors and Pedestrian/Bicycle Corridors. The existing street system provides a framework for pedestrian and bicycle connections in the immediate area. The Parque will create a sustainable, walk and bike-friendly environment for its users with functional, internal pedestrian connections between site amenities and buildings providing a seamless connection to adjoining land uses. Bicycle racks/storage will be provided on site in numerous locations as well as self-serve public bicycle stations offering self-service repair and maintenance.

REVITALIZATION

Neighborhood Preservation & Revitalization Element

NPR 1 Preserve and enhance the character, identity, and quality of Scottsdale’s diverse neighborhoods.

NPR 1.1 Support innovative, well-designed, sustainable building construction and rehabilitation to enhance neighborhood character and identity.

NPR 1.2 New construction and exterior remodels or renovations should sensitively address neighborhood character and transition areas.

RESPONSE: Redevelopment and revitalization of the Property for a new, vibrant community brings a wide range of amenities including, but not limited to, a large public open space amenity, ground level pedestrian synergy, abundant shade, sensitive edge buffering, place making and de-emphasis on the automobile. The Parque’s proposed mixed-use concept provides an ideal collection of land uses with respect to surrounding context including, but not limited to The Promenade to the north, numerous commercial retail and office buildings on the south, east and west, and Scottsdale Quarter and Kierland, both of which have a residential component. The PCP district allows for a mix

of land uses with a distinct set of development standards that regulate setbacks and stepbacks from the perimeter of the site creating stepped-building massing as buildings move towards the center of the site. These district regulations inherently create sensitive edge condition and, given the surrounding employment/commercial context, The Parque provides a seamless and appropriate transition to existing development patterns.

NPR 5 Promote neighborhood interaction to help create and maintain strong communities.

NPR 5.1 Preserve existing and create new public gathering spaces within walking distance of residential areas.

NPR 5.2 Create opportunities for neighborhood interaction through neighborhood events and community-building activities.

NPR 5.3 Encourage physical and social links between non-residential and residential land uses.

RESPONSE: The Parque contributes towards a pedestrian oriented atmosphere by improving the pedestrian realm through integration of the Central Park open space destination and smaller refined gathering spaces encouraging interaction and community togetherness. Offering opportunities

for neighborhood interaction through programed open space within the Central Park amenity serves as a catalyst for encouraging physical and social links. These offerings may include, but are not limited to, flexible market space, solar pavilion, splash pad, sculptural play area, dog park, and outdoor workspace.

Conservation, Rehabilitation, and Redevelopment Element

CRR 1 Support high-quality, context-appropriate redevelopment, rehabilitation, and conservation to promote long-term neighborhood stability.

CRR 1.1 Support redevelopment that is sensitive to the identity and character of Scottsdale's maturing neighborhoods.

CRR 1.2 Continue strategic and proactive intervention efforts for property redevelopment, rehabilitation, and maintenance on properties beginning to show signs of decline, so as to prevent further progression of blight, distress, underutilization, or deterioration.

CRR 1.3 Support the proactive participation of affected residents and business owners during the planning and implementation of redevelopment and neighborhood conservation projects.

CRR 1.5 Protect established areas/ neighborhoods by promoting context-appropriate infill development; sensitive neighborhood and property assemblage; and innovative adaptive reuse of existing community resources and historic properties.

CRR 1.6 Upgrade substandard infrastructure during redevelopment and rehabilitation projects.

RESPONSE: The revitalization of the CrackerJax site, an aging recreational facility in a prime Airpark location, will bring long-term economic stability and support a high quality of life through the implementation of residential, workforce housing, high-end tourist accommodations, office, and supporting retail land uses. As noted above, the Property went through a GPA process in 2011 to allow for the addition of residential uses to the existing mixed-use designation. However, at that time no companion zoning case was processed. This zoning application comes over a decade later in response to the growing demand for residences in Scottsdale and the site's continued decline. The redevelopment of this Property with a mixed-use community will bring new vibrant architecture and community-focused site design to an aging recreation facility with asphalt surface parking developed under the existing C-4 zoning decades ago.

CRR 2 Sustain long-term economic well-being through redevelopment, rehabilitation, and conservation.

CRR 2.1 Support and encourage public and private economic reinvestment in declining areas.

CRR 2.2 Encourage reinvestment that positively impacts the visual impressions and experiences of residents, businesses, and visitors.

CRR 2.3 Promote redevelopment and rehabilitation of older commercial areas to maintain Scottsdale's standing as one of the major retail, restaurant, and entertainment destinations within the metropolitan area.

CRR 2.4 Foster redevelopment and rehabilitation of mature employment centers to enhance Scottsdale's commercial property inventory and provide new job opportunities.

CRR 2.5 Encourage healthy, resource- and energy-efficient building materials and methods during conservation, rehabilitation, and redevelopment efforts.

RESPONSE: Revitalizing and redeveloping properties is a critical part of the economic vitality of the community. Integrating new land use

options on underutilized sites is essential for the continuing economic growth and sustainability of Scottsdale. This proposal will bring an estimated \$1 billion reinvestment to an underutilized, declining infill site. The Parque implements this General Plan goal by integrating a mixed-use community focused on a large central open space amenity, the Central Park, and providing positive interaction between open space and the built environment with an emphasis on sustainability and healthful living. New developments and reinvestment, like The Parque, further stimulate additional City tax revenue, provide additional jobs, and encourage revitalization and reinvestment in aging properties.



Growth Areas Element

GA 1 Direct growth in areas of the city that can support a concentration of development density and intensity, as well as a broad mix of uses.

GA 1.1 Designate Growth Areas in locations

- With infrastructure capacity to accommodate higher levels of activity and a mix of uses;
- Where infrastructure upgrade/extension will be most cost-effective;
- With multi-modal transportation access;
- Needing focused reinvestment;
- Where regional attractions exist or are planned; and/or
- That will reduce development pressures in lower-intensity areas of the city.

GA 1.3 Ensure that such development sensitively responds to neighborhoods, infrastructure, and character within and next to Growth Areas.

GA 1.4 Accommodate the highest intensity of development in designated Growth Areas. In some cases, Character Area Plans may be more specific on appropriate locations for higher intensity development within both Growth and Activity Areas.

GA 1.5 Identify Growth and Activity Area “edges,” and incorporate context-appropriate transitions between these “edges” and adjacent neighborhoods to minimize the impacts of higher-intensity development.

RESPONSE: The Property is located in the Greater Airpark Growth Area which approaches growth management from a perspective of identifying those areas of the community that are most appropriate for development and will best accommodate growth. In these areas, the city encourages design that will support planned concentrations of a variety of uses, such as residential,

tourism, office, and commercial land uses. The Parque’s proposed mixed-use concept provides an ideal collection of land uses with respect to its surrounding context including, but not limited to The Promenade to the north, numerous commercial retail and office buildings on the south, east and west, and Scottsdale Quarter and Kierland, both of which have a residential component. The PCP district allows for a mix of land uses appropriate for the Greater Airpark Growth Area with a distinct set of development standards that regulate setbacks and stepbacks from the perimeter of the site creating stepped-building massing. These district regulations create sensitive edge condition and provides a seamless and appropriate transition to existing area land uses.

GREATER AIRPARK GROWTH AREA is one of the largest employment centers in the State of Arizona. It is headquarters for a multitude of national and regional corporations; center for a variety of smaller and locally-owned businesses; contains the largest employment and industrial-zoned area within Scottsdale; and is home to the Scottsdale Airport. The Greater Airpark Growth Area is also the location of some of the largest, signature special events in the city, such as the Waste Management Phoenix Open golf event, the Barrett-Jackson Collector Car Auction,

and the Scottsdale Arabian Horse Show. This Growth Area will be similar in intensity to the Old Town Scottsdale Growth Area. Building heights generally range between three and six stories and may exceed six stories in certain areas identified in the Greater Airpark Character Area Plan. Appropriate locations for higher density/intensity development, and other considerations, are specified in the Greater Airpark Character Area Plan {emphasis added}.

GA 2 Improve access to automobile, transit, and other mobility options to, from, and within Growth and Activity Areas.

GA 2.1 Coordinate a balanced multi-modal circulation system that can accommodate changing demographics and patterns of development within identified Growth and Activity Areas.

RESPONSE: Well-located, mixed-use site planning like The Parque encourages multi-modal transportation options allowing people to explore a variety of mobility opportunities and strengthening connections with the adjacent and area uses.

GA 3 Conserve and incorporate significant natural, open space, historic, and cultural resources in Growth and Activity Areas.

GA 3.1 Provide usable public open space as

an integral part of Growth and Activity Areas to encourage public gathering, enhance aesthetics, preserve viewsheds, and serve as buffers between differing land uses and intensities.

GA 3.2 Identify and strengthen open space connections within and outside of Growth and Activity Areas.

GA 3.3 Integrate art, historic, and cultural amenities into Growth and Activity areas.

RESPONSE: A central park of over 2 acres in size is the key organizational element of The Parque’s planning. Open space has been identified as a key component of promoting community gathering and healthy living. Open space occurs in multiple scales on the site to promote outdoor activities for differing functions and at different times of day. Outdoor office space, fitness, relaxation, observation, gathering and cultural intake have all been accommodated with the composition of public open spaces.

GA4 Promote public and private construction of timely and financially sound infrastructure in Growth and Activity Areas.

GA 4.1 Promote sustainability, green building, and low-impact development practices to lessen the demand on infrastructure within Growth

and Activity Areas.

GA 4.2 Focus infrastructure improvement and expansion in Growth and Activity Areas.

GA 4.3 Promote the coordination of infrastructure investment and development activity within Growth and Activity Areas.

GA 4.4 Set priorities in the Capital Improvement Plan (CIP) for infrastructure construction and improvements that serve the complex needs of Growth and Activity Areas.

RESPONSE: Sustainability in both environmental impact and long term social and economic vitality is one of the core principles of The Parque. The project serves as a catalyst to long term sustained growth within the airpark. The technology incubation component of the project will attract new startup companies that will follow the lead of The Parque development. The Parque will also lead by example, setting a new standard for sustainability in Scottsdale.

GA 5 Recognize and build on the character and diversity of Scottsdale’s various Growth and Activity Areas.

GA 5.1 Support land use compatibility with nearby neighborhoods through context-

appropriate development within Growth and Activity Areas.

GA 5.2 Protect key economic and historic assets from incompatible land uses in designated Growth and Activity Areas.

GA 5.4 Promote new development, revitalization, and redevelopment within Growth and Activity Areas that maintains fiscal sustainability, promotes long-term economic development goals, and enhances quality of life.

RESPONSE: This application responds to the site’s existing surrounding land uses and the goals of the GACAP as well as a strong market demand. Business and housing trends indicate a fundamental shift in certain locations away from traditional suburban office and single-family residential development in response to the growing technology fields, the portability of “knowledge workers” change in the workplace environment, and the desire for a ‘live, work, play’ lifestyle experience. The Parque’s proposed Development Plan includes elements that promote context appropriateness with respect to land use and physical improvements including massing, architecture, materials, landscape, hard scape, and lighting. The synergy of uses between the proposed mixed-use community and existing Scottsdale

Airpark commercial and employment land uses will further bolster the economic vitality of the area. Redeveloping and revitalizing underutilized and/or vacant infill sites is key to promoting land use and economic sustainability; allowing reinvestment to strengthen the long-term success of Scottsdale.

Cost of Development Element

COD 1 As permitted by State Law, require development to pay its fair share of the cost of public service needs it generates.

COD 1.6 Continue to use water, water resources, and sewer development fees to ensure that new growth pays for itself without adversely impacting existing customers.

RESPONSE: The Parque will comply with all City requirement with respect to water and sewer development fees to ensure that development pays for its direct impacts.

COD 2 Promote development timing guided by the adequacy of existing and/or expandable infrastructure, services, and facilities.

COD 2.2 Ensure proposed development commits to construction of primary water, wastewater, and circulation systems, as necessary, before approval.

RESPONSE: Consistent with City requirements, the applicant team has submitted water and sewer basis of design reports, as well as a traffic report, with the zoning application to ensure adequate infrastructure and transportation systems will be available to serve the proposed use. The proposed land use provides residential, tourist accommodations, office, and retail within an established mixed-use context, thereby reducing trip generation.

INNOVATION AND PROSPERITY

Economic Vitality Element

EV 1 Foster Scottsdale’s resiliency to economic change through support of our core industries (e.g., tourism, healthcare, bio/life sciences, advanced business services), assets, regional competitiveness, and economic diversity.

EV 1.2 Support retention and expansion of established businesses and provide resources for businesses to adapt to changing market conditions.

EV 1.3 Diversify Scottsdale’s businesses, focusing on industries that add value to the existing economic environment.

RESPONSE: Scottsdale features a multi-generational population with retirees, families,

boomers and millennials seeking a vibrant and meaningful lifestyle. The Parque will bring generational and transformative billion-dollar reinvestment and revitalization to this well-located but underutilized and declining site. The proposal will continue to re-energize the Scottsdale Airpark, strengthening its position as the second largest employment district in the state. New rooftops and high income jobs stimulated by this proposal will also bolster nearby retail and commercial businesses further sustaining the economic sustainability of the Airpark area.

Additionally, the City has developed a mission to create a “Cure Corridor” running east-west along Shea Boulevard, anchored by HonorHealth, and north-south along Scottsdale Road extending from the Scottsdale Airpark to SkySong. With a substantial percentage of Scottsdale’s workforce being employed in healthcare related fields, Scottsdale is home to an array of business assets in the bio-life sciences sector from education and research to clinical trials and patient care delivery. HonorHealth being the City’s largest employer with approximately 6,500+/- employees and Mayo Clinic with approximately 2,000+/- employees. The City’s Cure Corridor boundary includes the Scottsdale Airpark and this request to create a mixed-use environment, with a range of housing options including workforce residences, will be a



natural fit for existing and future Cure Corridor users within close proximity to both HonorHealth and Mayo Clinic.

EV 3: Sensitively manage land uses to provide and enhance economic development, fiscal health and job growth, while simultaneously protecting the integrity and lifestyle of neighborhoods.

EV 3.1 Support and enhance, where necessary, major street, freeway, and telecommunications access to key employment and regional retail centers.

EV 3.2 Maintain and create distinctive business, shopping, and cultural/entertainment clusters.

EV 3.3 Maintain and develop neighborhood-scale shopping areas near residential concentrations.

EV 3.4 Focus major employment and commercial uses in Growth Areas.

EV 3.5 Ensure neighborhoods are adequately protected from major development through design sensitivity, buffering, and traffic management.

EV 3.6 Enhance and protect the Scottsdale Airport as a global connection for tourism and business development.

EV 3.7 Identify and promote opportunities for infill development and ensure that infill development projects sensitively integrate into the environmental and neighborhood setting.

EV 3.8 Promote orderly, planned growth to reduce service costs, maximize use of existing and proposed public facilities, and enhance available revenues.

EV 3.9 Maintain and expand when appropriate for the city's fiscal health, resorts/ tourism, employment, and commercial land uses to provide revenue, jobs, and contribute to the socioeconomic prosperity of our residents.

RESPONSE: Promoting tourism and providing residential as well as workforce housing land use options that address the needs of the community contributes to Scottsdale’s fiscal health. This proposal will meet the growing demand for housing and contribute to the long-term economic prosperity of the surrounding area by providing residents the opportunity to live near employment areas such as the Scottsdale Airpark and the HonorHealth Shea Medical Campus. Further, The Parque will help diversify the local economy and support a sustainable economic future for the City. In addition, The Parque fulfills the policies, noted above by revitalizing an underutilized and aging infill site, promoting the Scottsdale Airport as a global connection for tourism and technology and bio-science business, and implementing design sensitivity with an emphasis on multi-modal transportation options.

Tourism Element

T 1 Strengthen Scottsdale’s position as a premier regional, national, and international tourism and resort destination.

T 1.1 Support the development and revitalization of hotels and resorts that reflect Scottsdale’s Sonoran Desert character, commitment to environmental stewardship, and high-quality image.

T 1.2 Accommodate diverse, high-quality lodging and tourism market segments according to regional and national visitor trends and community character.

T 1.3 Preserve and enhance Scottsdale’s natural, social, and cultural environments so that Scottsdale’s tourism experiences remain uniquely competitive and viable while enriching the community’s unique and extraordinary livability.

T 1.4 Support tourism by providing public scenic, outdoor, educational, and recreational facilities for both visitors and residents to enjoy.

T 1.5 Enhance Scottsdale’s tourism and resident experience by supporting services that highlight the unique elements and characteristics of different areas of the community, including fine dining, specialty and high-quality retail, art galleries, museums, spas and wellness centers, transportation, recreation and leisure opportunities, event experiences, and entertainment activities.

T 1.8 Advocate for the sustainable development of new retail opportunities, especially those that capture the unique flavor of Scottsdale and complement the quality, resort, and desert character of the community.

T 1.9 Promote resorts in conjunction with

recreation, retail, housing, and cultural amenities that support tourism and provide and sustain a resort-like lifestyle.

T 1.10 Promote Scottsdale as a unique desert recreational experience.

T 1.11 Encourage tourism-related public-private partnerships to provide destination marketing, arts and cultural experiences, and the development or redevelopment of community amenities.

T 1.12 Promote Scottsdale as a welcoming and inclusive community.

RESPONSE: The inspiration and heart of The Parque’s design is the 2+/- acre Central Park public open space creating a meaningful community open space functioning as the complementary north “book end” to the Civic Center Plaza in Old Town. Comparatively, this open space amenity is significantly larger than the common open space elements found at Scottsdale Quarter (0.5 acres) and Kierland (0.1 acre) and will create a new paradigm based on its visual and functional prominence in the Scottsdale Airpark. Together, the Central Park amenity and integration of tourism and residential land uses will promote sustainability and healthful living. This unique interplay will place an emphasis on sustainability in

the desert, provide abundant shade and vegetation, promote gathering and place making, and capture Scottsdale’s coveted lifestyle and tourism appeal.

T 2 Enhance visitor and resident mobility, accessibility, and way finding.

T 2.1 Provide multi-modal transportation choices and regional links to ease tourist mobility and accessibility.

T 2.5 Promote the diversity and inclusivity of resorts and tourism businesses that embrace and welcome all.

RESPONSE: The Parque is situated on a well-located but underutilized parcel surrounded by thriving retail and office/employment land uses, which makes it ideal for tourism and residential land. Multi-modal transportation options will be available to visitors and residents, including, but not limited to walking, bicycling, ride share and public transit. Scottsdale Road, Paradise Lane, and Dial Boulevard/73rd Street all provide a framework for the walkable environment. As noted above, the Central Park open space amenity along with more passive open space elements places an emphasis on the pedestrian promoting walkability and healthful living. Vehicle parking will be provided in underground and above grade structures with the goal of de-emphasizing the automobile and

promoting the pedestrian. Additionally, designated areas will be reserved for Uber and Lyft access as well as other forms of transit, electric vehicle charging stations will be dispersed throughout, and bicycle racks/storage will be provided on site along with public bicycle stations for repair and maintenance.

to, farmer's markets, interactive digital art and/or temporary art displays, music in the park, community education events, family movie nights, holiday events and health/wellness events.

T 3 Support and expand special events, spaces, and venues.

T 3.1 Provide destination attractions and events that celebrate Scottsdale's heritage and cultural diversity and provide unique entertainment and educational opportunities, including the key theme areas of the arts, southwestern culture, Native American culture, cowboy/western lore, and the Sonoran Desert environment.

T 3.6 Provide a variety of public realm and open space areas that accommodate multiple activities and special events.

T 3.9 Promote environmental sustainability at events, attractions, and venues.

RESPONSE: The Parque's Central Park space does not have a specific special event program in place at this early stage but based on the large 2+/- acre size of this public open space amenity programming may include, but will not be limited



GREATER AIRPARK CHARACTER PLAN



2010 GREATER AIRPARK CHARACTER AREA PLAN OVERVIEW

The Greater Airpark Character Area Plan (“GACAP”) was adopted in October 2010 by the City Council. The purpose of the GACAP is to establish “the vision for the Greater Scottsdale Airpark and provide the basis for Greater Airpark decision-making over a twenty-year time frame.” To achieve this, the City established a series of goals and polices to provide a framework for future development. The GACAP is divided into eight chapters each with its own focus and vision: Land Use, Neighborhood & Housing, Aviation, Community Mobility, Economic Vitality, Environmental Planning, Character & Design, and Public Service & Facilities. The following paragraphs (“responses”) will highlight how this application meets the goals and policies of the GACAP.

This rezoning request from C-4 to PCP- AMU-R PSD on the 28+/- acre Property conforms to the GACAP designation of AMU-R, which was approved by the City Council in October 2011 but did not include a companion zoning case at the time.

GACAP Definition (emphasis added):

Airpark Mixed Use Residential areas are appropriate for the greatest variety of personal and business services, employment, office and institutional, cultural amenities, retail, hotel, and higher density residential. Developments in the AMU-R areas should be pedestrian-oriented have access to multiple modes of transportation and should be located outside of the Airport’s 55 DNL contour. Residential and other sensitive uses should be a lesser component of development and include adequate sound attenuation. Design of residential uses in the areas south of the Central Arizona Project Aqueduct should support businesses and tourism uses, such as time-shares, multi family rental units and corporate housing [emphasis added].

The GACAP Conceptual Development Type Map designates the Property as “Type C – Higher Scale” with a Regional Core designation, which is defined as follows (emphasis added):

Type C development represents medium to higher scale development which supports pedestrian activity in the Greater Airpark. Type C is encouraged in areas with access to multiple modes of transportation, served by regional transportation networks (i.e. freeways or transit corridors), and where the scale will complement the area’s character. Type C development is appropriate in areas next to both Types C1 and B development. Type C is not recommended immediately adjacent to the



Scottsdale Airport.

The Regional Core designation denotes areas appropriate for the greatest development intensity in the Greater Airpark to support major regional land uses. Regional Core is only appropriate in Type C areas that are or will be served by high-capacity transit or a freeway. Regional Core areas should not be located adjacent to single-family residential areas or within Type A or B development areas [emphasis added].

Goal A2

Foster safe, efficient, and environmentally responsible operation of the Scottsdale Airport to accommodate various aviation needs and employment/commercial services.

Policy A2.1 Update, implement, and maintain the Airport Master Plan, Strategic Business Plan, Airport Layout Plan, and Part 150 Noise and Land Use Compatibility Study, to address land use compatibility, noise issues, environmental impacts, and safety considerations and to remain economically competitive in the region, as well as the nation.

Policy A2.2 Continue to enforce local regulations related to land use planning around the

Airport.

RESPONSE: Beyond The Parque's conceptual development plan proposal, site and building design will be executed with responsible efforts to preserve and enhance Scottsdale Airport. The Airport Part 150 Noise and Land Use Compatibility Program requirements will not only be met but exceeded to address environmental impacts, safety, noise issues, and suitable contextual design.

Land Use

Policy LU 1.1 Maintain and expand the diversity of land uses in the Greater Airpark

RESPONSE: The Parque embodies the characteristics of successful mixed-use site planning by including a range of land uses that promotes the work, live, play philosophy. This proposal accomplishes a range of goals including, but not limited to, revitalizing a well-located but underutilized and aging property, integrating high quality, vibrant architectural character and innovative site planning to the area, and creating pedestrian synergy that will complement the surrounding context.

Policy LU 1.2 Support a mix of land uses within the Greater Airpark that promote a

sense of community and economic efficiency, such as clustering similar/supportive uses and incorporating residential intended for the area's workforce, where appropriate.

RESPONSE: Integrating The Parque's proposed mix of land uses, which includes workforce housing, will provide jobs and housing opportunities for the residents of Scottsdale in a designated employment and service core reducing travel distances between housing, workplaces, and retail businesses. While providing physically and functionally integrated land uses within The Parque, the location of the Property also provides connectivity to the retail and restaurants established in nearby developments that will enhance their sustainability. Park Scottsdale will promote an integrated, sustainable character for the area contributing towards the work, live, play goals encouraged in the GACAP.

Policy LU 1.4 Encourage the redevelopment of underutilized land to more productive uses.

RESPONSE: This well-located, underutilized redevelopment parcel currently contains the CrackerJax amusement park. The site received GPA approval from City Council for the AMU-R land use category in 2011 with anticipation of a zoning case to follow once a more detailed development plan was established. The redevelopment proposed pursuant to this

application provides a billion dollar revitalization and more productive and supportive economic uses for this core area of the Scottsdale Airpark that will contribute to the areas long-term vitality and stability.

Policy LU 4.5 Greater visual variety and architectural interest should be considered in the design of the Greater Airpark's tallest buildings (Regional Core), particularly at the pedestrian level.

RESPONSE: The Parque will create a sustainable, walk and bike-friendly environment that takes advantage of the employment and retail base within the Scottsdale Airpark that surrounds the Property. The proposal will utilize a maximum 120-ft in building height (inclusive of mechanical) allowed by the PCP ordinance and encouraged in the GACAP Regional Core. Buildings, however, will range in height from single-story to 78-ft, 96-ft, and 109-ft with only one building reaching 120-ft. (all heights inclusive of mechanical). The proposed site layout focused on the public Central Park open space amenity creates engaging outdoor spaces and pedestrian pathways in and around buildings with a specific focus on human-scale and place making at the ground level. The Parque combines open space with the architectural expressions providing a memorable experience for visitors, residents and employees.

Policy LU 4.7 Encourage greater visual variety between employment/commercial land uses and residential neighborhoods, and avoid continuous buildings shapes and mass adjacent to residential neighborhoods.

RESPONSE: Expanding upon the statements above, the innovative design demonstrates a rich character and inspires architectural variety between the various building functions. The buildings will be designed in a manner that provides a hierarchy of masses and sensitivity to the pedestrian and ground level experience. Architecture and building detailing will include context appropriate designs and indigenous materials that pays homage to the unique character and context of the Sonoran Desert and to blend with the surrounding existing and planned context of the Scottsdale Airpark. A detailed set of design guidelines regarding building architecture that respond to the Southwestern climate through building character, massing, material selection, and color palette are included with the The Parque Development Plan.

Policy LU 5.1 Update and provide greater flexibility in development regulations to achieve the goals of the Greater Airpark Character Area Plan and encourage revitalization in the area.

RESPONSE: The PCP ordinance allows for a method to implement the GACAP with a wider

range of uses, height, square footage and suitable mixed-use development standards as compared to the existing C-4 zoning. The PCP allows the applicant to create an innovative, mixed-use community for the residents and visitors of Scottsdale and will not only meet, but exceed, the intent of the GACAP. The application includes a request for bonus height and square footage but does not maximize the potential bonus development standards allowed under the PCP district.

Policy LU 6.0 Enforce and modify development standards and building codes to enhance compatibility of residential uses with aviation and employment, and buffer existing industrial and aviation uses from new and existing residential development. Examples include, but are not limited to:

- Sound attenuation measures in the building code;
- Maximum heights in certain areas;
- Required notification of Airport proximity;
- Noise disclosures and aviation easements for properties within the Greater Airpark;
- Compliance with lighting standards set forth by the Federal Aviation Administration (FAA) and

in the Scottsdale Design Standards and Policies Manual; and

- Discouragement of residential development in certain areas (see Land Use Plan, pg 10 and Policy NH 3.2, pg 25).

RESPONSE: Buildings will incorporate sound attenuation measures through wall construction, building finishes, and window/door selection. Proposed building heights comply with the PCP zoning district (see conical surface map). Noise disclosures will be provided to residents and business, and aviation easements will be submitted as required by the City. Notification will be filed with the FAA and all lighting standards will be met to ensure safety. The site is designated as Airpark Mixed Use – Residential (AMU-R) in the GACAP (page 10, Land Use Plan) and residential uses are consistent with this mixed-use land use category. The perimeter of the development is designed in a manner that provides appropriate transitioning to the built Airpark context through horizontal undulation and vertical stepping of the building envelope. Additionally, a meaningful landscape buffer is provided along the boundary of the Property to create visual relief and provide a shaded pedestrian realm.

Policy LU 7.2 Promote a greater mix of uses along identified Signature Corridors, which

complement and are compatible with each respective land use designation.

Policy LU 7.3 Encourage and incentivize revitalization along Signature Corridors, particularly south of the Central Arizona Project Aqueduct.

RESPONSE: Signature Corridors are designated on the Greater Airpark Future Land Use Plan and include adjacent Scottsdale Road, Paradise Lane and Dial Boulevard/73rd Street. While the current CrackerJax use is sequestered from the surrounding street edge with limited access, The Parque's porous mixed-use character will broaden the current range of land uses in the area that interacts with the Signature Corridors in numerous locations strengthening the interconnected network established along these roadways.

Policy LU 8.1 Recognize and promote the value of usable open space as part of the community's quality of life.

RESPONSE: This project promotes the value of usable open space on several levels. With the Central Park core as the guiding design element, The Parque places an emphasis on the pedestrian and creates a walkable community with connectivity to established and future Airpark uses. Additionally, the project will provide 39%



of the site as meaningful, usable open space including the public Central Park amenity in the heart of the project, smaller more intimate gathering spaces, and perimeter landscape buffers which offer view corridors and a visual, usable oasis for visitors, residents and employees as well as providing an attractive setting for the buildings and fostering public interaction.

Neighborhood & Housing

Policy NH 2.2 Encourage a variety of urban dwelling types and mixed-use development in areas designated Airpark Mixed Use-Residential in the Greater Airpark Character Area Future Land Use Plan that are compatible with and support the aviation and employment uses of the Greater Airpark.

RESPONSE: The Airpark creates an excellent opportunity to support a range of land uses that interrelate and balance the work, live, play concept. The integration of residential, workforce housing, hotel, office and retail land uses on this site enhances the overall employment core character of the Airpark. The Parque provides a land use balance that creates a strong sustainable employment and service node essential to the continued success and sustainability of the Airpark.

Policy NH 2.3 Incorporate gathering spaces and recreational opportunities into the design of mixed-use development to support a high quality of life for Greater Airpark residents.

Policy NH 2.4 Promote opportunities for parks, open space, and trail connections within new mixed-use development and as a part of the redevelopment of existing property.

RESPONSE: The Parque provides design elements that cater to the pedestrian and provides an open space and work character through building design, pedestrian connectivity, landscaping, open spaces, hard scape, lighting, and signage. The public Central Park open space element will include a range of outdoor amenities such as multiple seating areas, raised planters, seat walls and public art to create an outdoor living and work space for people to gather, work and relax. There are also several smaller areas that provide more intimate gathering opportunities. The residential and hotel components will also have their own open space amenities including pools, shade cabanas, patio furniture and landscaping to create a resort-like feel for those uses.

Policy NH 3.1 Encourage thoughtful and creative residential development that enhances, supports, and is sensitive to Airport operations and the Greater Airpark's identity as an employment

center.

RESPONSE: As previously discussed, the proposed mix of uses will support the work, live, play philosophy mentioned throughout the GACAP. Specific measures will be taken to create buildings that are sensitive to nearby Airport operations with respect to noise attenuation and building design. An aviation easement will be provided per City's requirements.

Policy NH 3.2 Incorporate residential into Airpark Mixed Use-Residential Future Land Use Areas to reduce traffic congestion, improve air quality; and provide opportunities for workforce housing where:

- Dwellings will not be adjacent to industrial uses that could be in conflict with residential uses;
- Dwellings will not lie within the 55 day-night average noise level (DNL) or higher areas established by the FAA; and
- Multi-modal transportation options will be incorporated into residential design.

RESPONSE: The Parque is situated on a well-located but underutilized parcel surrounded by thriving retail and office/employment land uses, which makes it ideal for redevelopment. The Property is located within the AC-1 Airport

Compatibility District and the proposed residences will be located well outside the 55 DNL line and will be designed with upgraded building materials to provide appropriate sound attenuation. Multi-modal transportation options will be available to residents, visitors and employees including, but not limited to walking, bicycling, ride share, driving and public transit. Scottsdale Road, Paradise Lane, and Dial Boulevard/73rd Street are designated as a Pedestrian/Bicycle Corridor in the GACAP, which provides a framework for the walkable and bike friendly environment desired for The Parque

Community Mobility

Policy CM 1.1 Enhance Greater Airpark connections to local and regional public transportation systems.

RESPONSE: The GACAP states "successful employment centers are those where land uses are conveniently connected to each other, easily accessed by major thoroughfares, and above all, focus on providing a high-quality, convenient transit system." The Property is located on Scottsdale Road and is approximately 2 miles to the west and approximately 1.5 miles to the south of the Loop 101, all of which provide regional vehicular access. Existing Valley Metro bus routes include Route 72, which runs along Scottsdale Road from Chandler to North Scottsdale. Route

72 connects with Route 170 which runs along Bell Road/Frank Lloyd Wright to the north and Route 154 which runs along Greenway Parkway/Butherus Drive to the south. The existing transit stop along the Scottsdale Road frontage will be improved with the redevelopment of the site providing a direct connection into The Parque. Creating and fostering a mix of land uses will inherently influence people to utilize alternative modes of transportation, such as transit, walking and bicycling, thereby reducing traffic congestion and improving air quality.

Policy CM 4.2 Improve pedestrian and bicycle connections from adjacent neighborhoods to Greater Airpark destinations.

RESPONSE: Scottsdale Road, Paradise Lane and Dial Boulevard/73rd Street are all Airpark Signature Corridors adjacent to the Property and are also designated as a Pedestrian/Bicycle Corridors. Additionally, Greenway-Hayden Loop (to the south) and Frank Lloyd Wright (to the north) are designated as Signature Corridors and Pedestrian/Bicycle Corridors. The existing street system provides a framework for pedestrian and bicycle connections in the immediate area. The Parque will create a sustainable, walk and bike-friendly environment for its users with functional, internal pedestrian connections between site amenities and buildings providing a seamless

connection to adjoining land uses. Bicycle racks/storage will be provided on site in numerous locations as well as public self-service bicycle stations for repair and maintenance.

Policy CM 6.5 Design corridors that accommodate and attract pedestrians and bicyclists, particularly in Airpark Mixed Use Future Land Use Areas and along Signature Corridors.

Policy CM 7.2 Promote more sustainable modes of passenger transportation, such as alternative fuel vehicles, walking, biking, and/or other future technologies.

RESPONSE: The site plan has been designed in a manner that pays particular attention to the pedestrian and bicyclist along the perimeter of the site. The mixed-use character inherently promotes vehicular trip reduction and a sustainable, walkable/bikeable community. Additional residential, tourist, and employment land uses integrated in this Airpark location increases the efficient movement of people by locating them close to existing employment and retail services, thereby minimizing vehicular trips on the regional transportation network. The Greater Airpark Transit Connections Map designates this Property as a "Major Shopping" area and an "Activity Center" with adjacent transit corridor classifications (Scottsdale Road and Paradise Lane).

Economic Vitality

Policy EV 1.1 Develop and implement long-term economic development strategies that maintain and enhance city revenue streams in order to balance the area's revenue generation with the cost of services and ensure financial stability now in the future.

Policy EV 1.2 Promote Scottsdale's exceptional quality of life as a key factor for business attraction, retention and expansion.

Policy EV 1.4 Retain and expand established Greater Airpark businesses.

RESPONSE: Scottsdale Quarter and the Scottsdale Promenade developments already provide a diverse source of successful retail and entertainment along with residential and office uses. Inspired by the success of these developments while also searching to create a new paradigm of iconic space, The Parque focuses on a distinctive urban experience through creative and evolved site planning with an emphasis on technology, sustainability and healthful living. The building layout creates numerous passageways for pedestrians to move about leading to an activated Central Park in the core with ground level retail and restaurants for visitors, residents, and employees to enjoy and experience the lifestyle Scottsdale is so

well-known for.

Scottsdale features a multi-generational population with retirees, families, boomers and millennials seeking a vibrant and exciting lifestyle. The The Parque will bring generational transformative billion dollar reinvestment and revitalization to this well-located, declining and underutilized site. The proposal will continue to reenergize the Scottsdale Airpark strengthening its position as the second largest employment district in the state. New jobs and rooftops will also bolster nearby retail and commercial businesses generating additional sales tax revenue, further sustaining the economic longevity of the Airpark area. The request for PCP-AMU-R PSD zoning to allow for a work, live, play community in an established commercial/employment area that is already occupied by a range of land uses including office, employment, medical, retail, residential, recreation and education.

Environmental Planning

Policy EP 1.3 Promote landscape design and irrigation methods that contribute to water and energy conservation

RESPONSE: The landscaping for The Parque will be in accordance with the existing City approved landscape palette found in nearby developments

including the Scottsdale Road Streetscape Guidelines. Low water-use indigenous plants and trees will be used throughout the site. Turf areas will be limited to interior areas for active and passive recreation. Trees and landscaping will be used to provide shade for the pedestrian, thereby minimizing the heat-island effect and reducing overall energy consumption for cooling. Low-voltage landscape lighting will be used throughout the site as an efficient way to light the pathways, common open space and landscape areas while still conforming the City's the dark-sky ordinance.

Policy EP 4.2 Encourage all developments to respect and respond to the Sonoran Desert climate.

RESPONSE: Special attention has been given to the site planning and building aesthetic under this Development Plan proposal to uphold the distinctive character of Scottsdale and the Airpark area. The design envisioned for the Property will respect and enhance the unique climate and vegetation of the Sonoran Desert to help sustain our community and quality of life. The applicant's approach to the overall design is focused on providing harmony and compatibility with the framework of the GACAP.

Policy EP 4.8 Building design should respect and enhance the Sonoran Desert context of

the Greater Airpark using building orientation, landscape buffers, colors, textures, material and lighting.

Policy EP 5.4 Encourage landscape improvements that limit the amount of turf area and make optimal use of indigenous adapted desert plants.

RESPONSE: To further elaborate on the statements above, The Parque has been designed in a manner to respond to the Sonoran Desert climate and buildings with the use of solar shading, recessed windows, articulation, material selection, textures, paint colors, and a hierarchy of scale and massing in balance with the surrounding community. This proposal promotes a rich desert landscape palette in a contemporary theme that celebrates the distinctive character and quality of the Sonoran Desert while providing an attractive setting for the buildings.

Character & Design

Policy CD 1.1 Promote innovative, high quality design using specific design criteria associated with each Future Land Use Area in the Greater Airpark:

Airpark Mixed Use Future Land Use Areas (AMU & AMU-R) The character of these areas is pedestrian-oriented, urban, and human-



scale and features a variety of open spaces, gathering areas, and multi-modal transportation options. Multi-modal transportation should include bicycle and transit access connected to a pedestrian network to encourage social contact and interaction among the community. Design elements should be oriented toward people, such as the provision of shelter and shade for the pedestrian, active land uses at the ground floor/ street level, and a variety of building forms and facade articulation to visually shorten long distances. A variety of textures and natural materials is encouraged to provide visual interest and richness, particularly at the pedestrian level. Design of this Future Land Use Area should be based on a small city block layout with mid-block connections to promote greater walkability. The public realm may be activated through building and site design, orientation toward the street, high-activity uses on the street level, and the integration of public art.

RESPONSE: This is achieved in the following ways:

- Mixed-use work, live, play philosophy enhanced with proposed combination of uses (residential, tourism, office, and retail)
- Primary focus on Central Park public open space destination and pedestrian linkages both internal to the site and along the perimeter to celebrate a walkable/bikeable character
- Compatibility and economic enhancement to surrounding Airpark context in terms of land use mix and building character
- Building design will focus on Sonoran Desert climate and environmental sustainability through the use of solar shading, recessed windows, articulation, material selection, textures, paint colors, scale and massing as identified in the Development Plan’s design guidelines

Policy CD 1.2 Lighting should be designed to minimize glare, conserve energy, and accent the respective Future Land Use Area character.

RESPONSE: The on-site lighting will be designed in a manner to minimize glare and conserve energy while respecting and remaining consistent with the neighboring land uses. One of the lighting goals will be to provide appropriate low-level pedestrian scale lighting (bollards and foot lighting) for pedestrians. The lighting will be integrated with the abundant desert appropriate landscaping.



Policy CD 1.3: Encourage a variety of building shapes and heights that are appropriate in each Future Land Use Area in order to promote visual interest in the Greater Airpark and to promote the overall character of the specific Future Land Use Area within which they are located.

RESPONSE: Reiterating the responses under LU above, the design elements demonstrate a rich character and will inspire architectural variety between the various building functions. The buildings will be designed in a manner that provides a hierarchy of masses and sensitivity to the pedestrian and ground level experience. As demonstrated with the design guidelines in this Development Plan, architecture and building detailing will include context appropriate designs and indigenous materials to uphold the distinctive character and context of the Sonoran Desert and to blend with the surrounding existing and planned context of the Scottsdale Airpark.

Policy CD 1.4: Buffer residential neighborhoods from lighting, noise, and activities associated with employment and commercial land uses by utilizing vegetation, walls, or screens, and other appropriate technologies in site design.

RESPONSE: The project will provide 39% of the site as meaningful, usable open space including the public Central Park, smaller intimate gathering

spaces, pedestrian passages, and perimeter landscape buffers creating view corridors and a visual, usable oasis for visitors, residents and employees as well as providing an attractive setting for the buildings and fostering public interaction. The amount of perimeter open space will also provide opportunities for buffers through the integration of vegetation (trees, shrubs and ground cover), walls and other opportunities for appropriate transitioning.

Policy CD 2.1 Establish a unified streetscape for identified Signature Corridors with unique imagery for each corridor.

Policy CD 2.1.4 Scottsdale Road Signature Corridor

The Scottsdale Road Signature Corridor, from the southern Greater Airpark boundary to Frank Lloyd Wright Boulevard, includes the Scottsdale Road Streetscape Design Guidelines with promote integration of Frank Lloyd Wright design philosophy, as well as the area's tradition of aviation. Streetscape design should be more formal in character and respond the architecture, business and design influences of adjacent uses. Gateways in this area should include interpretative elements that discuss Frank Lloyd Wright and/ or the Airport. The area should have a more commercial feel and active street life.

Policy CD 2.1.7 73rd Street Signature Corridor (aka Dial Boulevard)

The 73rd Signature Corridor is a major pedestrian corridor in the Greater Airpark. Design elements along this street should include aviation themes and human-scale building orientation. Shade is an important element and may be incorporated thought the built environment, as well as natural shading. Hard scape elements could include bollards, foot lighting, and sophisticated fencing that secure taxi lanes from pedestrian activity. Low-lying vegetation, such as vines and shrubs, are important landscape features that should soften the continuous building mass characteristics of the land uses on the east side of the corridor.

RESPONSE: The Parque will highlight the Signature Corridors and provide design elements that cater to the pedestrian and provide an urban character through building design, signage, connectivity, landscaping (Scottsdale Road Streetscape Design Guidelines), open spaces, hard scape and lighting. The goal is to place iconic architecture along Scottsdale Road creating a landmark and sense of arrival. The residential portion of the site is located on the eastern end of the site adjacent to Dial Boulevard/73rd Street. The intent is for the buildings to engage the street through human-scale architecture, landscape and hard scape as this connection point provides access

to the north (Scottsdale Promenade) and south (Zocallo and Scottsdale Quarter).

Policy CD 2.2 Signature Corridor streetscapes should provide continuity among adjacent uses through a comprehensive landscape design, including decorative paving, street furniture, public art, and integrated infrastructure improvements

RESPONSE: The streetscape along Scottsdale Road, Paradise Lane and Dial Boulevard/73rd Street is well established in the area and The Parque's streetscape design will match the established landscape theme along these frontages. Other elements such as decorative paving for sidewalks and pedestrian crossings will be integrated into the project hard scape to draw people in and create seamless transitions from the perimeter to the interior of the site. All hard scape elements including paving, site furnishings and public art will showcase the new Central Park concept, creating a large public open space amenity where none exists. The design for the project will reinforce the strong commitment to connecting The Parque with the surrounding commercial and office developments.

Policy CD 2.3 In designated Signature Corridors, encourage pedestrian- and transit-oriented development, with parking and automobile access in the rear of the development,



PLANNED AIRPARK CORE DEVELOPMENT OVERVIEW

This application includes a Development Plan with a range of exhibits including the site plan, design guidelines, massing exhibits, renderings, solar shade studies, pedestrian/vehicular circulation plan, landscape plan, and civil engineering information which demonstrate the character and high-level of design proposed for this site.

Sec. 5.4001 PCP Purpose. The purpose of the PCP district is to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the GACAP. The PCP district should:

- A. Accommodate mixed-use commerce and employment centers.
- B. Provide a dynamic complement to the employment cores with support retail, service, tourism, cultural, and residential uses.

RESPONSE: The proposed PCP zoning allows for the integration of several complementary land uses and innovative design on this 28+/- acre Property in a premier Scottsdale Airpark location. The Parque accomplishes a range of goals including the billion-dollar revitalization of a well-located, aging, underutilized property, integrating high quality, vibrant architectural design guidelines and innovative site planning to the area, and creating pedestrian synergy that will complement the existing Scottsdale Airpark developments

- C. Promote efficient and safe traffic circulation system through the inclusion of a mix of complementary uses and provisions for multiple modes of travel.

RESPONSE: The mixed-use nature of The Parque promotes vehicular trip reduction and a sustainable, walkable community. The residential land use integrated in this Airpark location increases the efficient movement of people by locating them close to employment and retail services, thereby minimizing vehicular trips on the regional transportation network.

- D. Promote architectural excellence and creative design through development standards that create high quality character for structures, site plans, and streetscapes.
- E. Promote adjacent neighborhoods through strict development standards while encouraging innovative site planning and environmental sensitivity throughout the PCP district.

RESPONSE: Redevelopment of this Property will add to and support the local and regional economic base generating additional revenue for the City. The Property is surrounded by a variety of retail, employment, and service-related business in the Scottsdale Airpark. Focused on the 2+/- acre Central Park public open space amenity, the design character of The Parque provides a distinctive design with engaging outdoor spaces and emphasis on the pedestrian and bicyclist. Although specific architecture is not being proposed with the zoning application, Scottsdale's high-quality lifestyle will be upheld and reinforced through building design, landscaping and place making. Detailed design guidelines are provided with the Development Plan.

F. Provide an open space framework of enhanced streetscapes, functional pedestrian spaces, enhanced view corridors and other public environmental amenities.

RESPONSE: This project promotes the value of usable open space on several levels. The Parque will emphasize the pedestrian and create a walkable community with connectivity to established Airpark uses. Additionally, the project will provide 39% of the site as meaningful, usable open space including the public Central Park amenity - the focal point of the site, smaller intimate gathering spaces, pedestrian corridors, and perimeter landscape buffers providing an attractive setting for

the buildings and fostering public interaction.

G. Promote environmental stewardship and sustainability through the application of recognized and established environmentally responsible building techniques and desert appropriate design approaches

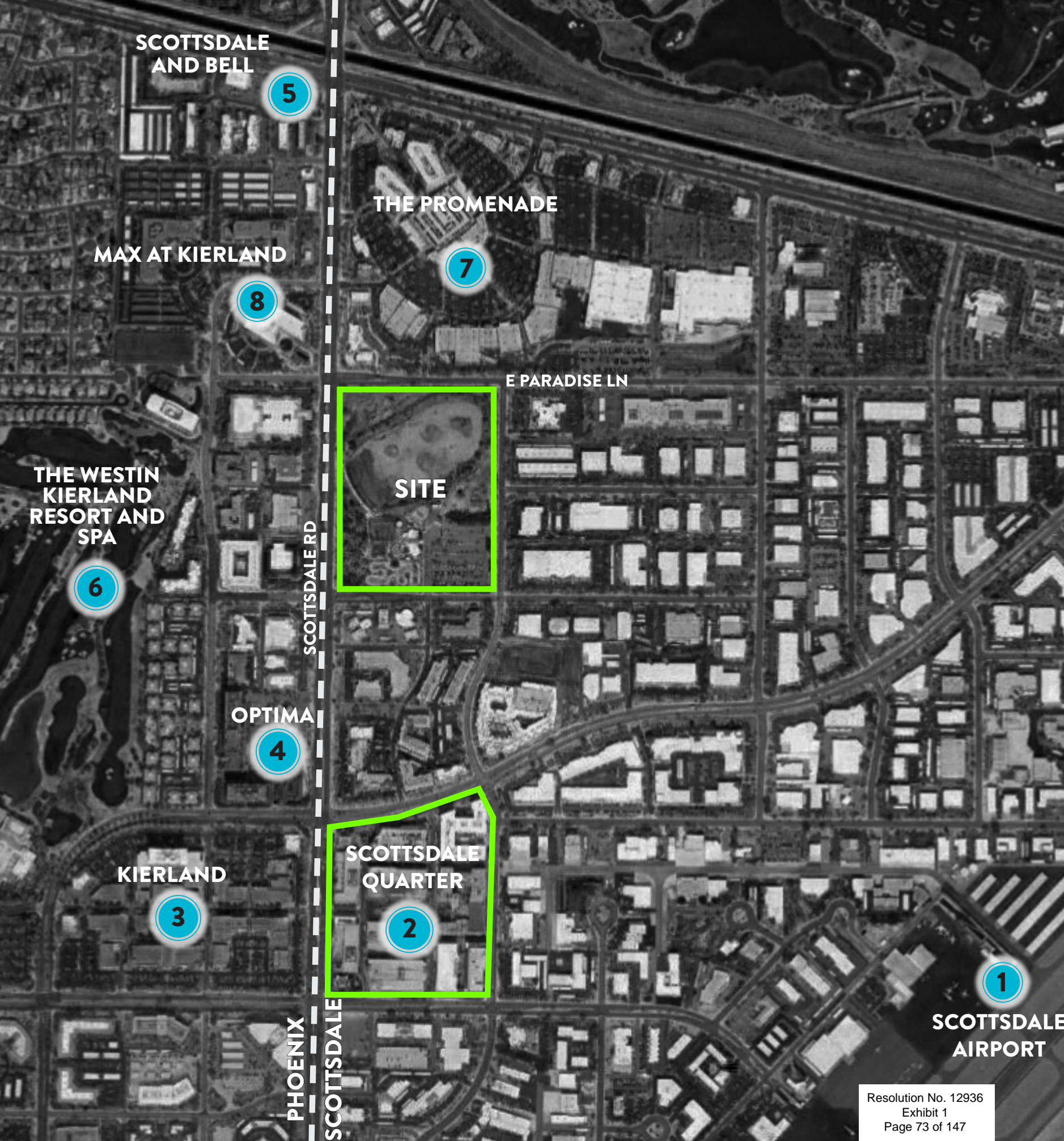
RESPONSE: The Parque will promote an integrated, sustainable character for the area by creating a mixed-use synergy that celebrates alternative modes of transportation and reduced vehicle trip generation. Sustainable building practices and desert appropriate design approaches will also be emphasized through building architecture, landscape and hard scape as identified in the detailed design guidelines provide with the Development Plan.

MASTER PLAN

3



SITE CONTEXT



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SITE CONTEXT

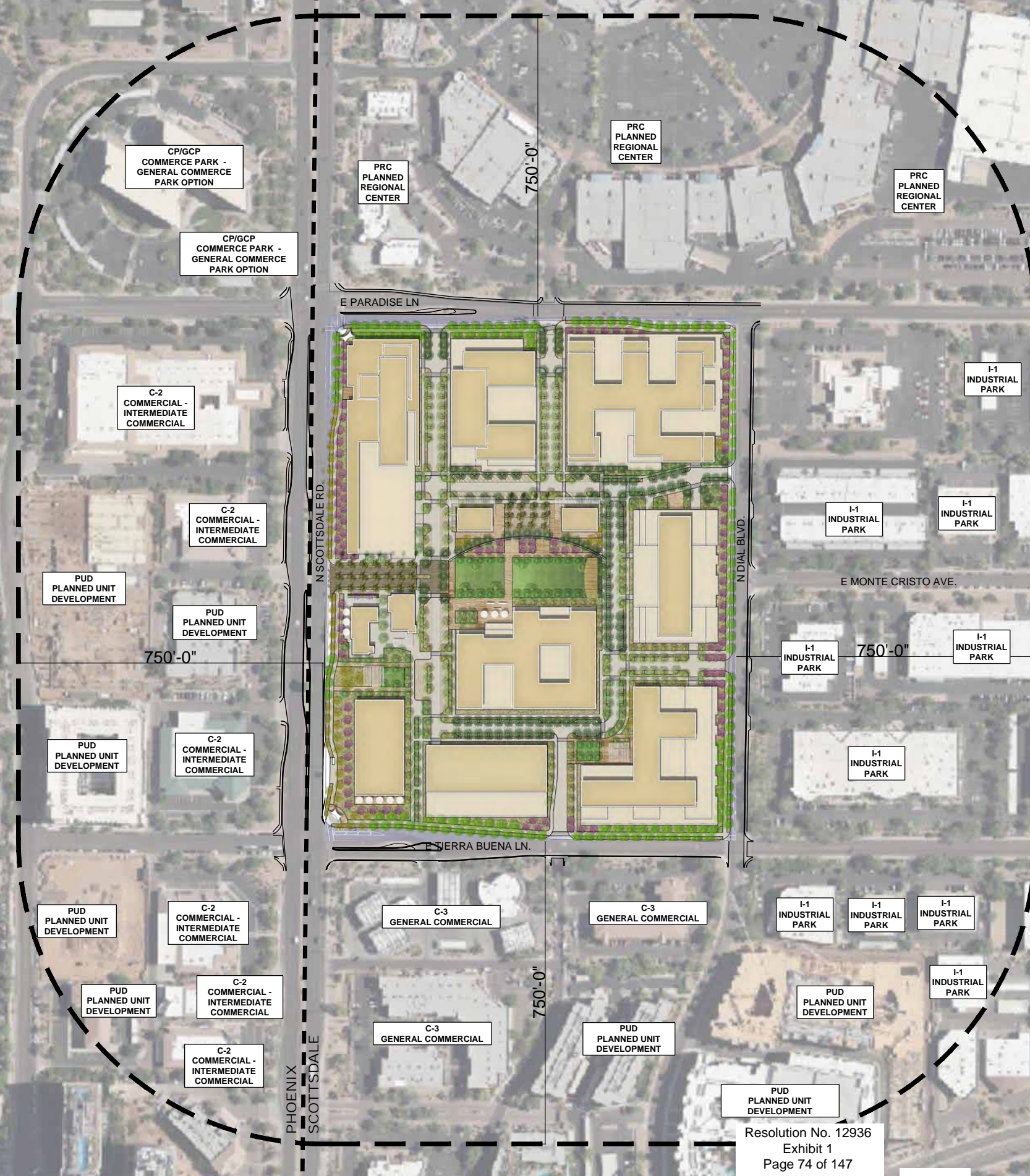
The Parque is located near other similar residential and mixed-use projects.



PLAN KEY:



750' RADIUS



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PROJECT PLANS AND DIAGRAMS



PROJECT INFORMATION

CURRENT ZONING:	C-4	
PROPOSED ZONING:	PCP-AMU-R-PSD (PLANNED AIRPARK CORE DEVELOPMENT AIRPARK MIXED-USE - RESIDENTIAL WITH PLANNED SHARED DEVELOPMENT OVERLAY)	
GROSS SITE AREA:	1,406,793 SF (32.29 ACRES)	
NET SITE AREA:	1,207,435 SF (27.72 ACRES)	
GFAR BASE:	0.8	965,948
GFAR PROPOSED:	1.73	2,086,097
ALLOWED MAXIMUM HEIGHT:	134 FT (WITH BONUS)	(WITH ROOF APPURTENANCES)
PROPOSED MAXIMUM HEIGHT:	119 FT (ONE BUILDING)	

PROJECT TABULATIONS

RETAIL	25,250	
FLEXIBLE SPACE	92,500	
RESTAURANT	34,800	
OFFICE	100,000	
5 STAR HOTEL	189,075	223 KEYS
5 STAR HOTEL BRANDED	350,132	126 RESIDENCES
CONDOMINIUMS	319,600	115 RESIDENCES
MULTI-FAMILY RESIDENCES	883,740	897 RESIDENCES
WORK FORCE RESIDENCES	91,000	98 RESIDENCES
TOTAL	2,086,097	1,236 RESIDENCES

PARKING REQUIRED

5 STAR HOTEL	1 SPACE/1KEY	223
RETAIL/RESTAURANT/FLEXIBLE SPACE (COMMUNITY)	1 SPACE/325 SQFT	469
RESTAURANT	1 SPACE/325 SQFT	107
RESTAURANT PATIO	1 SPACE/350 SQFT	33
OFFICE	1 SPACE/325 SQFT	308
PARK	3 SPACE/ACRE	6
RESIDENCE GUESTS	1 SPACE/6 RESIDENCE	206
RESIDENCES	1.5 SPACE/RESIDENCE AVG	1,854
TOTAL PARKING REQUIRED		3206

PARKING PROVIDED

STRUCTURED PARKING PROVIDED		3,053
SURFACE PARKING PROVIDED		180
TOTAL PARKING PROVIDED		3233

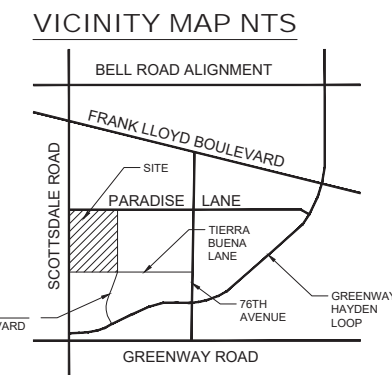
BICYCLE PARKING REQUIRED

5 STAR HOTEL	1 SPACE / 10 CARS	22
RETAIL/RESTAURANT/FLEXIBLE SPACE (COMMUNITY)	1 SPACE / 10 CARS	47
RESTAURANT	1 SPACE / 10 CARS	11
OFFICE	1 SPACE / 10 CARS	31
RESIDENCES GUESTS	1 SPACE / 10 CARS	21
RESIDENCES	1 SPACE / 10 CARS (100 SPACES MAX)	100
TOTAL PARKING REQUIRED		231

BICYCLE PARKING PROVIDED

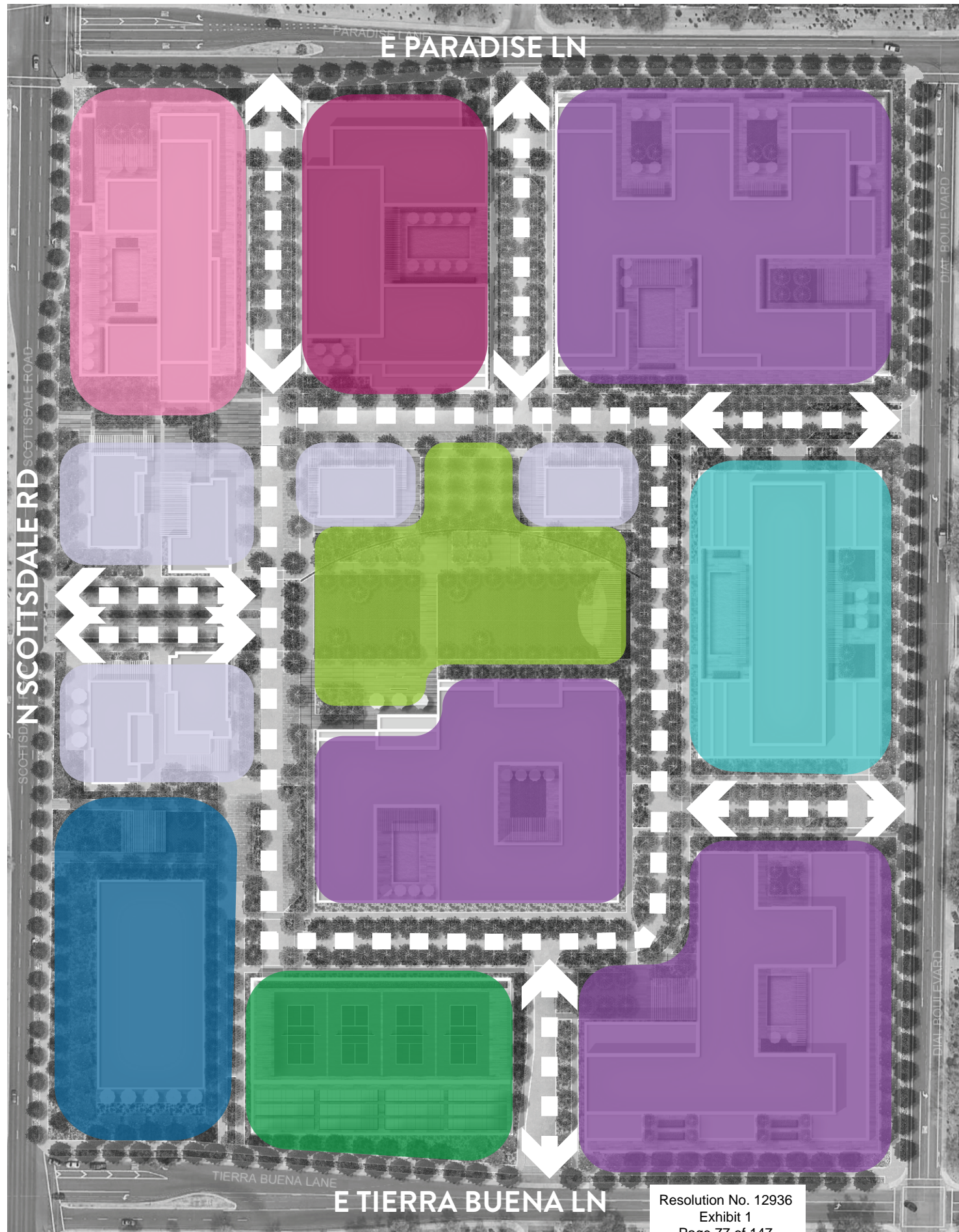
INDOOR PARKING PROVIDED		123
SURFACE PARKING PROVIDED	9 LOCATIONS/3 RACKS PER BUILDING/ 4 BIKES PER RACK	108
TOTAL BICYCLE PARKING PROVIDED		231

- NOTES:**
1. ALONG PARADISE LANE, DIAL BOULEVARD, AND TIERRA BUENA LANE, A MINIMUM 10-FOOT-WIDE PUBLIC NON-MOTORIZED ACCESS EASEMENT ACCOMMODATES A WIDER SIDEWALK AND SEPARATION FROM BACK OF CURB.
 2. THE EXISTING PAVEMENT MARKING ON DIAL BOULEVARD AT MONTE CRISTO IS TO BE MODIFIED TO MAKE THE SOUTHBOUND APPROACH A TWO-WAY LEFT-TURN LANE.



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CONCEPTUAL ILLUSTRATIVE SITE PLAN



KEY PLAN

- Public Open Space
- Hotel
- Hotel Branded Condominiums Over Commercial and Community Uses
- Condominiums Over Commercial and Community Uses
- Restaurants
- Office Over Commercial and Community Uses
- Green Garage Roof
- Residential Over Commercial and Community Uses

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LAND USE BY BLOCK



The Parque



SCOTTSDALE CIVIC CENTER

0.1 ACRES

KIERLAND COMMONS

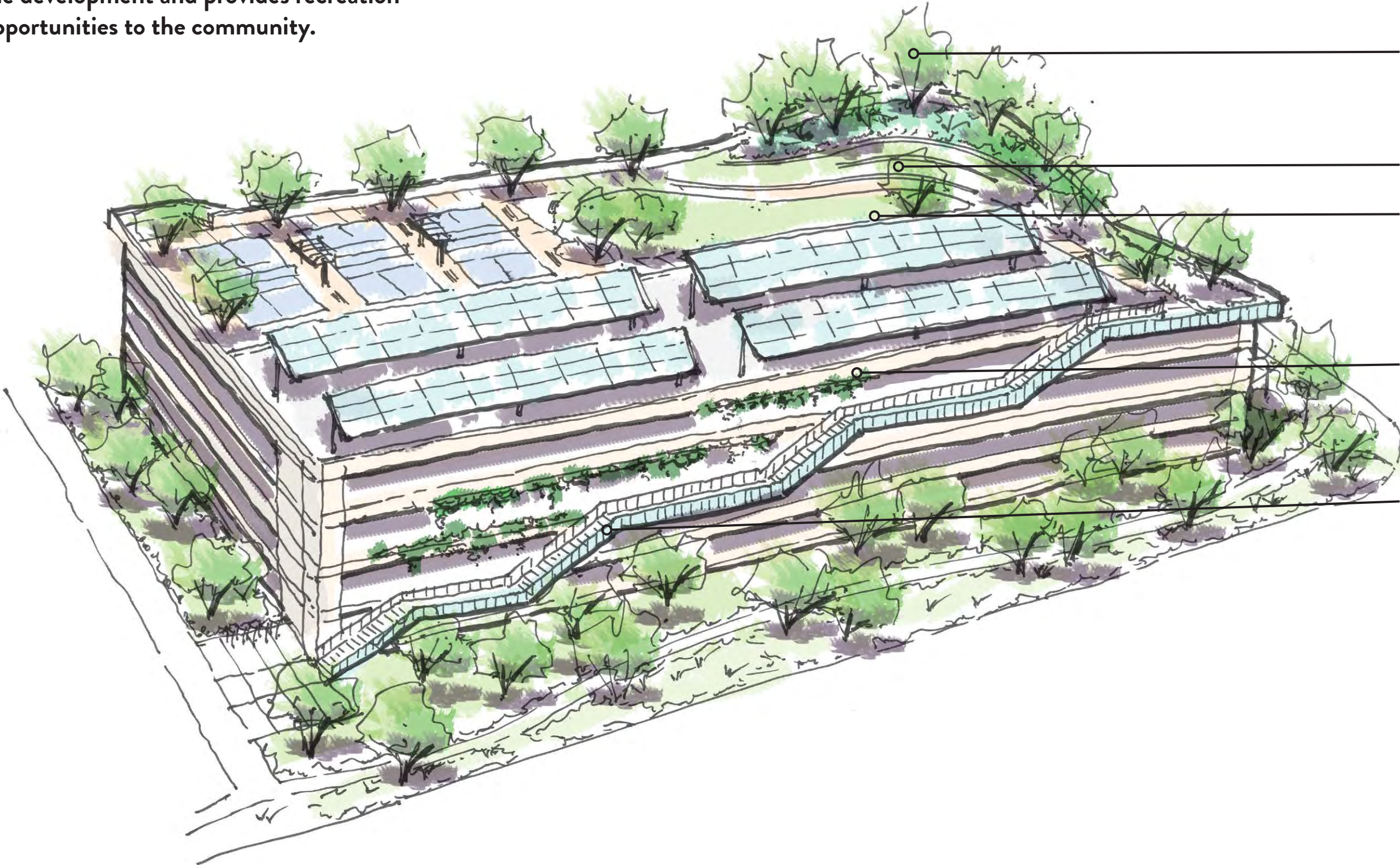
0.5 ACRES

SCOTTSDALE QUARTER



The Parque

Creating a green space, solar, and shade plantings adds valuable green space to the development and provides recreation opportunities to the community.



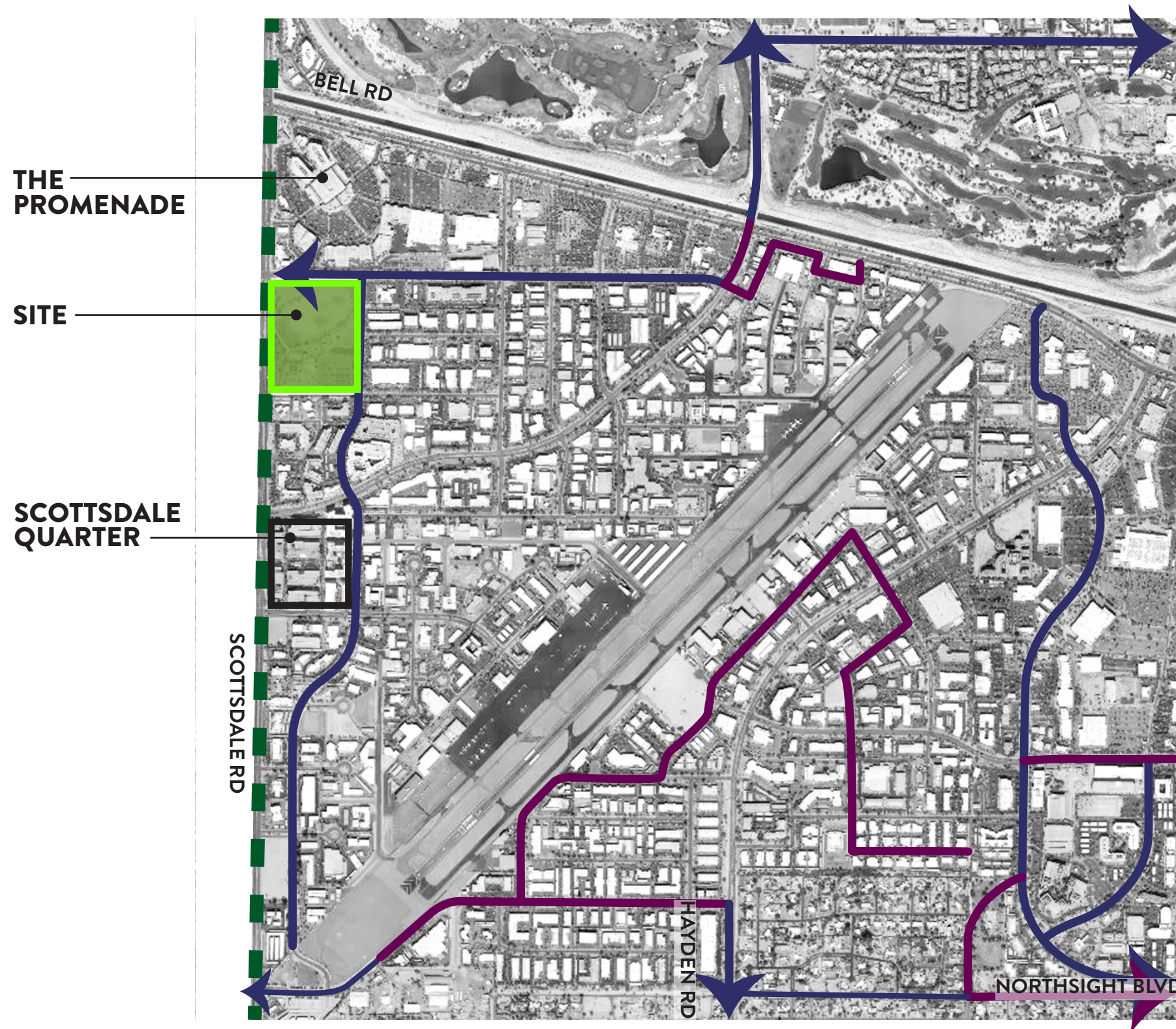
Shade Trees

Lifted Green Terraces

Yoga Lawn

Native Decorative Plantings

Hikable Exterior Stair



Existing Bicycle Connections

Legend

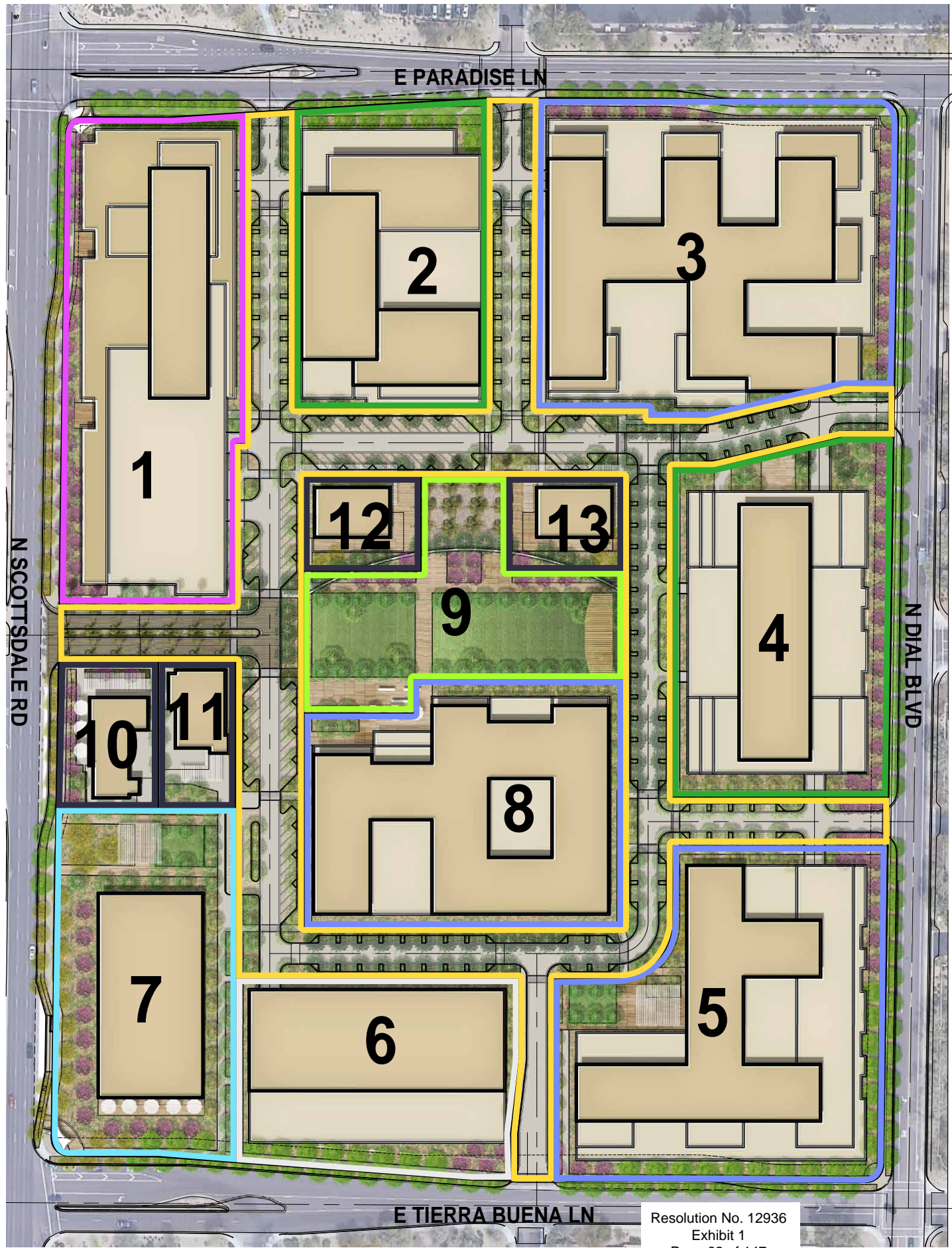
- Bicycle Lane
- Bicycle Route

Bicycle Lane



Bicycle Route





PLAN KEY: PARCEL BOUNDARIES

- HOTEL / RETAIL / RESTAURANT
- CONDOMINIUM / RETAIL / RESTAURANT
- RESIDENTIAL / RETAIL / RESTAURANT
- OFFICE
- PARKING GARAGE
- PARK
- RESTAURANT
- STREET TRACT

NOTES:

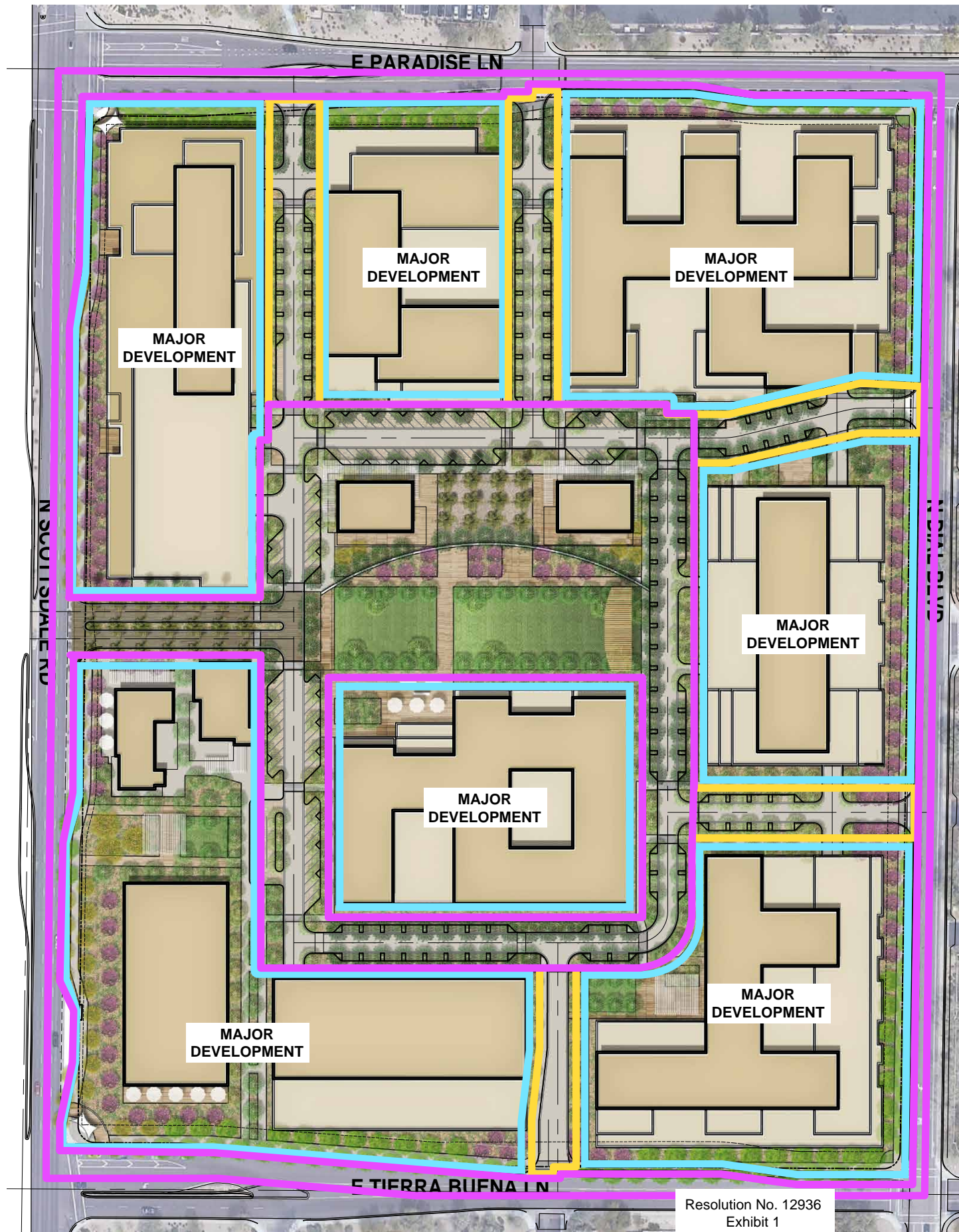
REFER TO FINAL LANDSCAPE PLANS FOR AMENITY AND PLANTING LOCATIONS.

ALL ACCESS AND INFRASTRUCTURE NEEDS ON A PER PHASE BASIS WILL BE BUILT OUT WITH CONTINUITY PLANNED FOR REQUIREMENTS OF THE COMPLETE MASTER PLAN BUILD-OUT.

A PRELIMINARY PLATTING PROCESS WILL BE REQUIRED FOR ANY PROPOSED PROJECT PARCEL MODIFICATIONS (NOT A LAND ASSEMBLAGE OR CONDO PLAT).

PARCEL	NET AREA (SF)	NET AREA (Acre)	BUILDING SF	FAR	RESIDENTS	OPEN SPACE (SF)	FRONTAGE OPEN SPACE (SF)
1	119,451	2.74	201,075	1.68		24,145	12,907
2	79,532	1.83	362,132	4.55	126	13,929	
3	149,216	3.43	374,765	2.51	373	25,438	
4	102,198	2.35	327,600	3.21	115	30,527	
5	130,144	2.99	312,005	2.40	310	37,867	
6	73,824	1.69				19,536	
7	85,971	1.97	150,000	1.74		34,577	20,447
8	103,065	2.37	335,720	3.26	312	21,582	
9	63,005	1.45				63,005	
10	20,038	0.46	6,000	0.30		5,054	6,054
11	15,387	0.35	6,000	0.39		7,451	
12	14,853	0.34	5,400	0.36		7,428	
13	14,853	0.34	5,400	0.36		7,428	
STREET TRACT	235,898	5.42				84,353	504
TOTAL	1,207,435	27.72	2,086,097	1.73	1236	382,320	39,912

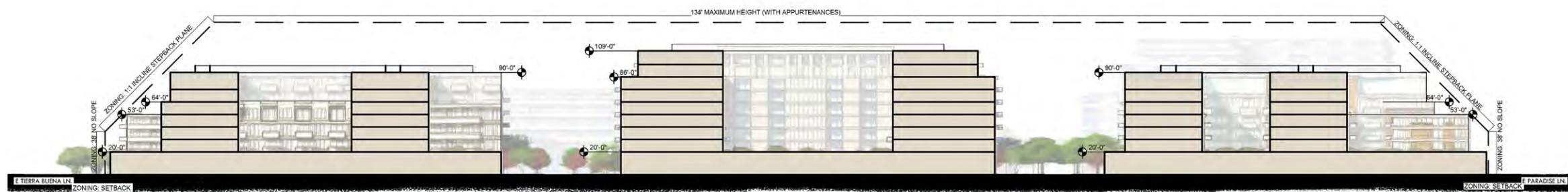
PARCEL/SUBDIVISION PLAN



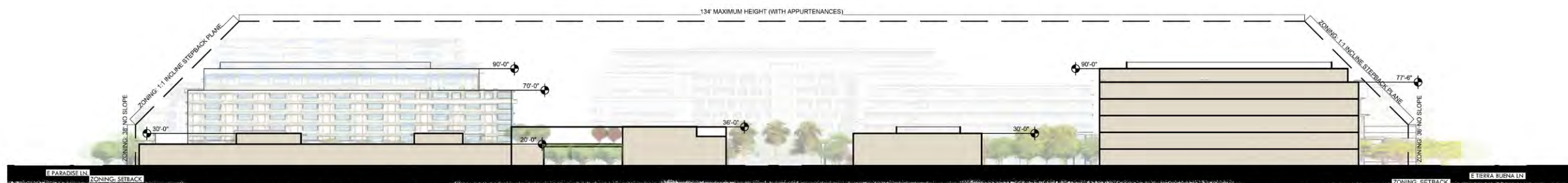
- PHASE 1
- FUTURE PHASES
- FUTURE PHASE STREET TRACT TO BE BUILT IN TANDEM WITH ADJACENT MAJOR DEVELOPMENT TO ALLOW SHARED INFRASTRUCTURE REQUIREMENTS

NOTES:

1. PHASE 1 WILL CONSIST OF THE PARK, A PORTION OF THE RETAIL, AND ONE OF THE SEVEN MAJOR DEVELOPMENTS OVER THE FIRST THREE YEARS, ALONG WITH THE INFRASTRUCTURE SURROUNDING THE PARK
2. PHASE 1 WILL CONSIST OF THE STREET TRACT ADJACENT TO SCOTTSDALE ROAD AND ONE OR MORE OTHER STREET TRACTS TO ALLOW FOR TWO ACCESS POINTS TO THE SITE.
3. STORM WATER LIFT STATION TO BE BUILT WITH PHASE 1
4. ALL CORRIDORS SHOWN HEREON ARE STREET TRACTS
5. INFRASTRUCTURE INCLUDES WATER, SEWER, STORM, AND TRANSPORTATION.



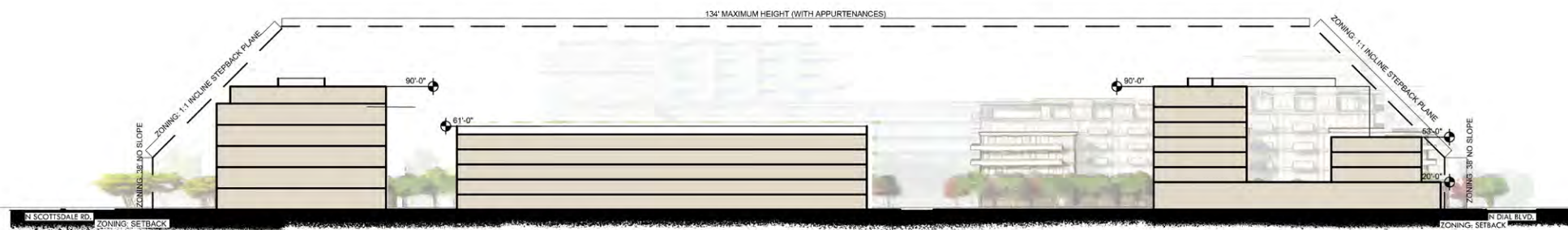
01 SITE CROSS SECTION - SOUTH TO NORTH
 SCALE: 1"=50'
 REF:



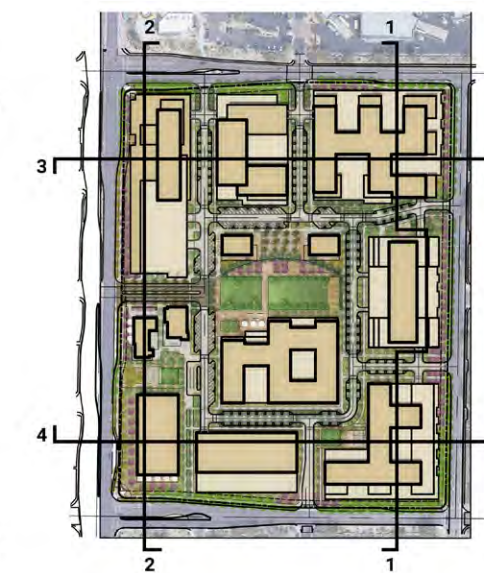
02 SITE CROSS SECTION - NORTH TO SOUTH
 SCALE: 1"=50'
 REF:



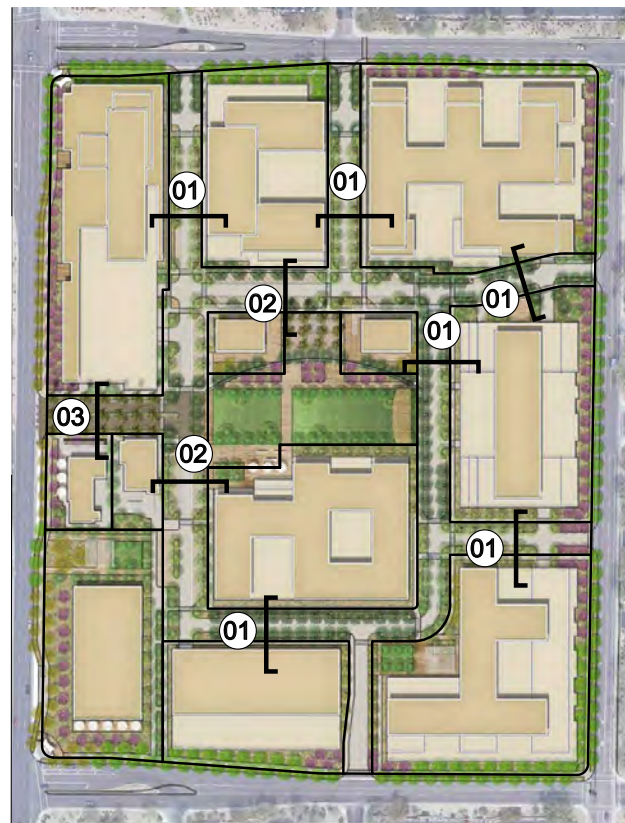
03 SITE CROSS SECTION - EAST TO WEST
 SCALE: 1"=50'
 REF:



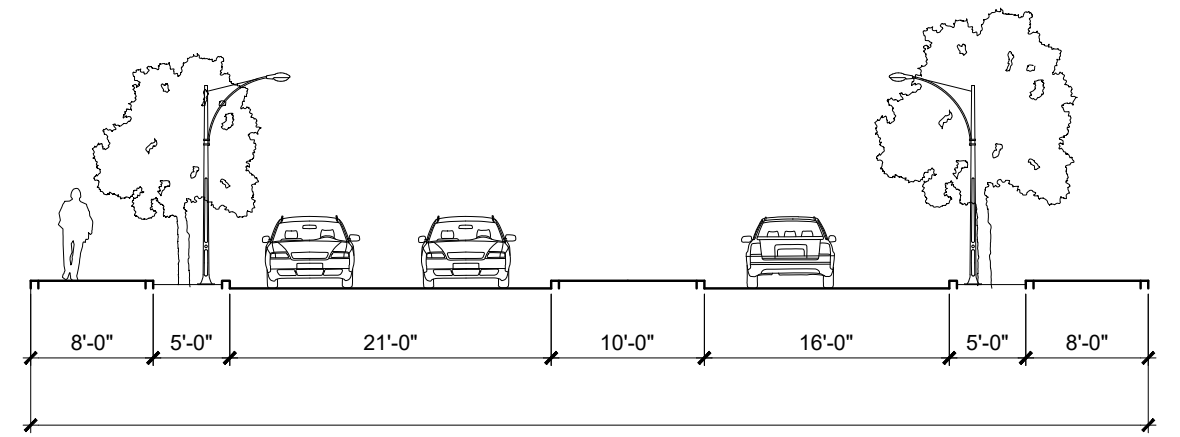
04 SITE CROSS SECTION - WEST TO EAST
 SCALE: 1"=50'
 REF:



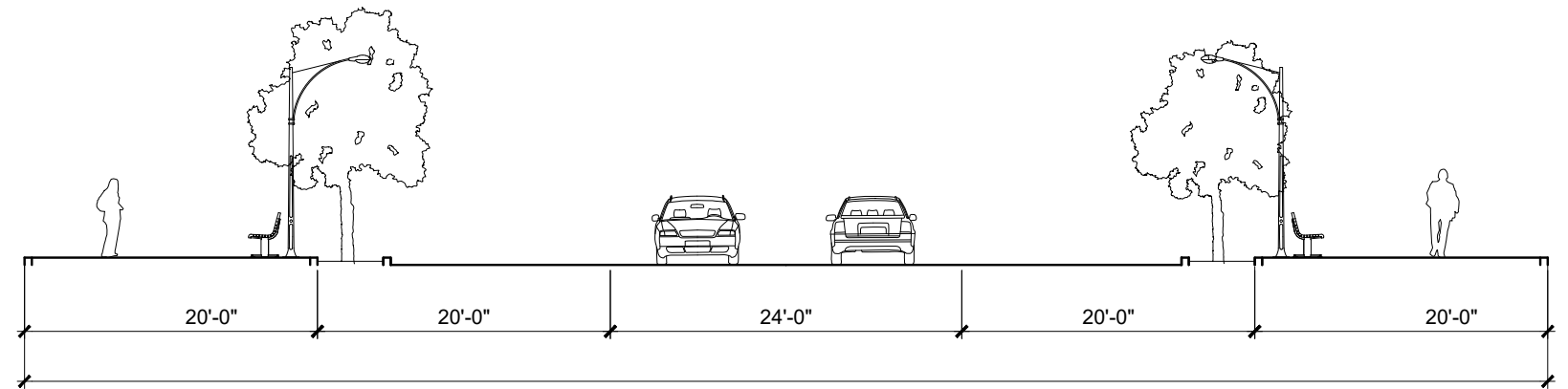
01 KEY PLAN
 SCALE: N.T.S.
 REF:



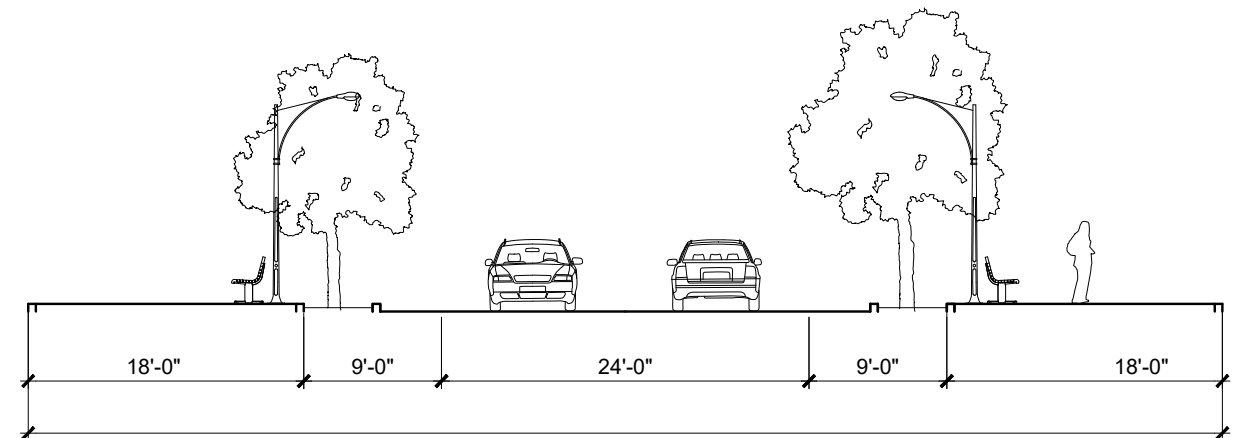
04 KEY
SCALE: N.T.S. REF:



73'-0" PRIVATE STREET TRACT
03 TYP STREET TRACT SECTION (ENTRY)
SCALE: 3/16"=1'-0" REF:



104'-0" PRIVATE STREET TRACT
02 TYP STREET TRACT SECTION (DIAG. PARKING)
SCALE: 3/16"=1'-0" REF:



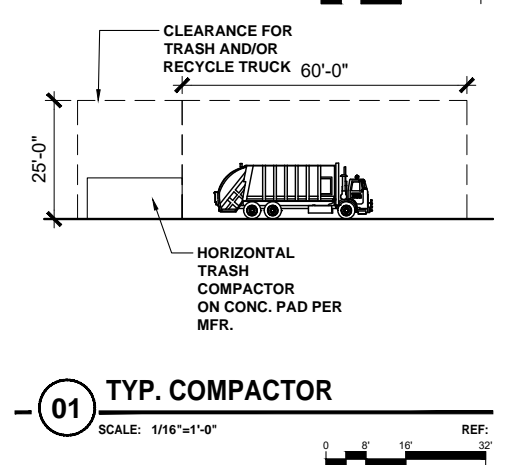
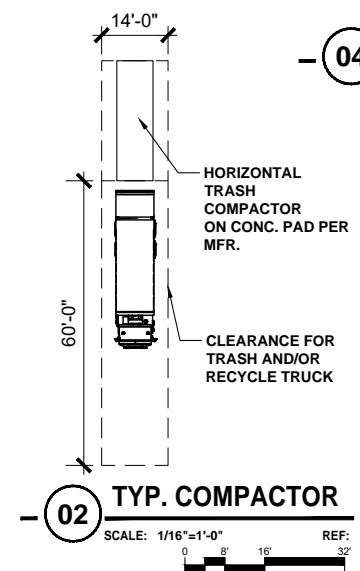
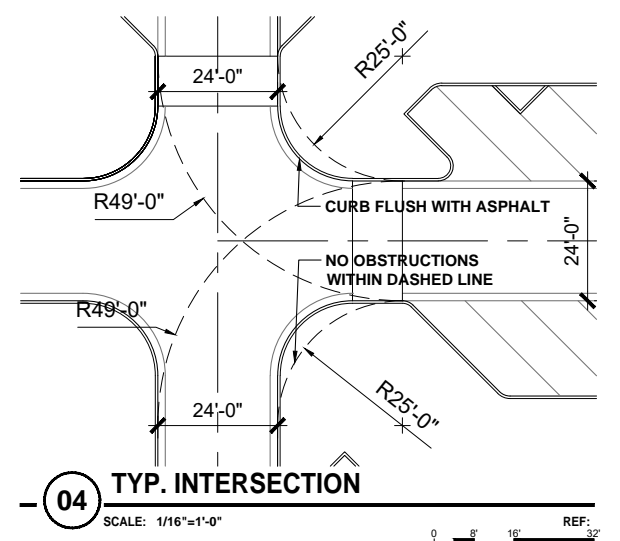
78'-0" PRIVATE STREET TRACT
01 TYP STREET TRACT SECTION (PARALLEL PARKING)
SCALE: 3/16"=1'-0" REF:



- REFUSE CIRCULATION KEY**
- ▬▬▬▬ TRASH AND RECYCLING SERVICE ROUTE VIA EXISTING PUBLIC STREETS
 - - - - TRASH AND RECYCLING SERVICE ROUTE VIA NEW PRIVATE STREET TRACTS
 - TRASH AND RECYCLING/SERVICE AREA LOCATIONS
 - TRASH AND RECYCLING HORIZONTAL COMPACTOR LOCATION
 - GREASE CONTAINMENT LOCATION (ONE LOCATION PER FOOD ESTABLISHMENT)
 - - - - TRASH AND RECYCLING COMPACTOR TRAVEL ROUTE (TRAVEL BY CART)

NOTES

1. CONCEPTUAL SITE AND BUILDING DESIGNS + INTENSITY WILL BE MODIFIED TO ACCOMMODATE CITY REQUIRED, AND PROVIDE CITY COMPLIANT, REFUSE DESIGN.
2. EACH PHASE PRECEDING PARCEL 6 WILL PROVIDE ITS OWN TRASH COMPACTOR REFUSE SOLUTION WITHIN BLUE DOT AREA OF THIS PLAN
3. COMPACTOR CAPACITY, PER PARCEL, IS PROVIDED WITHIN PLAN SHEET A112.1



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CONCEPTUAL REFUSE

Mixed-use Development (Non-Residential with Residential)

Parcels 2, 3, 4, 5, 8

Required Number of Refuse Enclosures With Recycling -2 enclosures for first 15,000 SF of non-residential building area and the first 15 units. Where additional non-residential building SF area and units are provided, 2 enclosures for each additional 30,000 SF of non-residential floor area and 2 enclosures additional for each 30 units.

Non-Residential Development

Parcels 1, 7

Required Number of Refuse Enclosures With Recycling - 2 enclosures for each 30,000 SF of building space

Restaurant

Parcels 1, 10, 11, 12, 13

1 enclosure with a grease containment Area and 1 enclosure without a containment Area

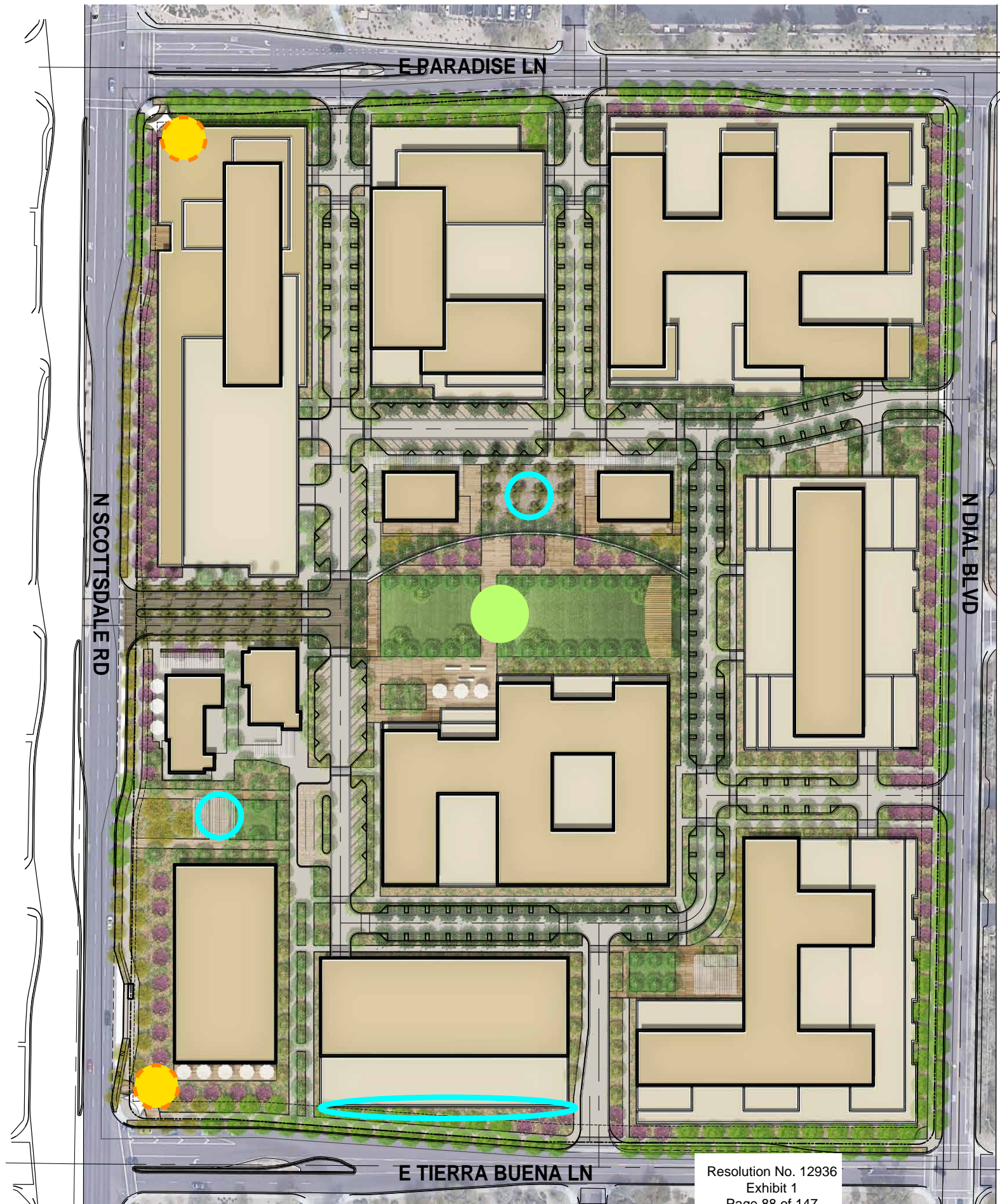
Table 1

PARCEL	NON-RESIDENTIAL SF	RESIDENCES	ENCLOSURES REQUIRED	YARDS REQUIRED (6 YARDS/ENCLOSURE)	4:1 C.O.S. COMPACTION RATIO (CU. YARDS)	PROVIDED REFUSE COMPACTOR	PROVIDED RECYCLE COMPACTOR
1	189,075	0	15	90	23	On Parcel Marathon Compactor RJ=250SC 25 yard compactor x 1 = 25 yards total	On Parcel Marathon Compactor RJ=250SC 25 yard compactor x 1 = 25 yards total
2	12,000	126	10	60	15	On Parcel Marathon Compactor RJ=250SC 15 yard compactor x 1 = 15 yards total	On Parcel Marathon Compactor RJ=250SC 15 yard compactor x 1 = 15 yards total
3	9,750	373	26	156	39	On Parcel Marathon Compactor RJ=250SC 39 yard compactor x 1 = 39 yards total	On Parcel Marathon Compactor RJ=250SC 39 yard compactor x 1 = 39 yards total
4	8,000	115	9	54	14	On Parcel Marathon Compactor RJ=250SC 15 yard compactor x 1 = 15 yards total	On Parcel Marathon Compactor RJ=250SC 15 yard compactor x 1 = 15 yards total
5	8,000	310	22	132	33	On Parcel Marathon Compactor RJ=250SC 34 yard compactor x 1 = 34 yards total	On Parcel Marathon Compactor RJ=250SC 34 yard compactor x 1 = 34 yards total
8	Sqft.	312	24	144	36	On Parcel Marathon Compactor RJ=250SC 39 yard compactor x 1 = 39 yards total	On Parcel Marathon Compactor RJ=250SC 39 yard compactor x 1 = 39 yards total
9	0	0	0	0	0		

*** Parcel 7, 10, 11, 12, 13 refuse will be collected as scheduled by the owner with a contracted waste hauler/service provider and hauled to the Parcel 6 centralized collection area. This area contains provided refuse and recycling compactor as indicated on table 2 of page A112.1 Refuse Plan. Trash and recyclables are collected in separate wheeled carts and connected end-to-end about 3-5 carts long in a train configuration. They are then towed via Gator, Razor or other motorized utility vehicle on the internal streets to the centralized trash and recycling center located at Parcel 6.**

Table 2

PARCEL	NON-RESIDENTIAL SF	RESIDENCES	ENCLOSURES REQUIRED	YARDS REQUIRED (6 YARDS/ENCLOSURE)	4:1 C.O.S. COMPACTION RATIO (CU. YARDS)	PROVIDED REFUSE COMPACTOR	PROVIDED RECYCLE COMPACTOR
6	0	0	0	0	0		
7	150,000	0	10	60	15	Shared Marathon Compactor RJ=250SC 34 yard compactor x 1 = 34 yards total	Shared Marathon Compactor RJ=250SC 34 yard compactor x 1 = 34 yards total
10	8,500	0	2	12	3		
11	8,500	0	2	12	3		
12	7,425	0	2	12	3		
13	7,425	0	2	12	3		

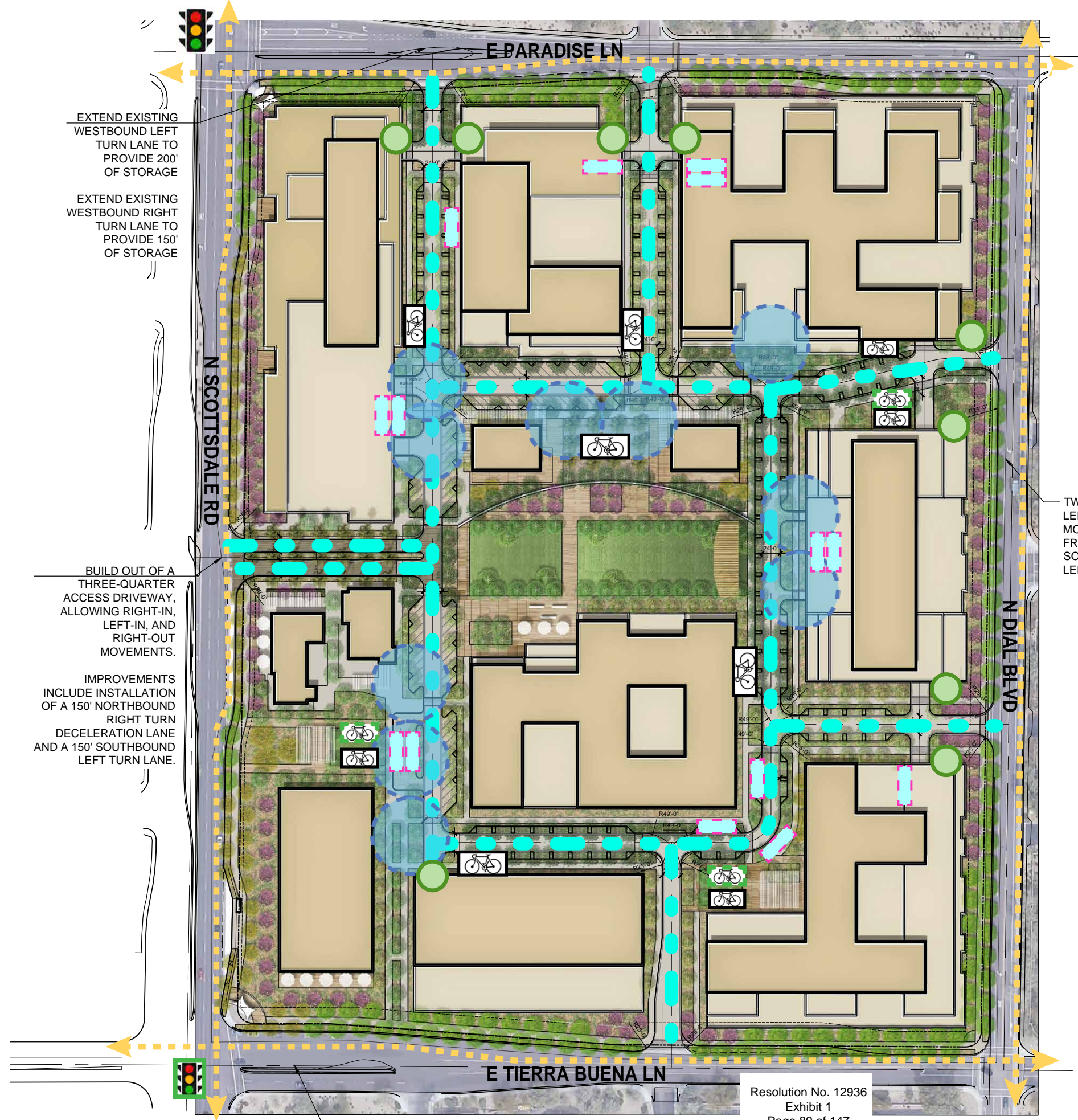


LEGEND:

- PRIMARY CULTURAL AMENITY LOCATION
- SECONDARY CULTURAL AMENITY LOCATION
- TERTIARY CULTURAL AMENITY LOCATION

NOTE:

1. ALL CULTURAL AMENITY LOCATIONS ARE ACCESSIBLE TO THE PUBLIC



EXTEND EXISTING WESTBOUND LEFT TURN LANE TO PROVIDE 200' OF STORAGE

EXTEND EXISTING WESTBOUND RIGHT TURN LANE TO PROVIDE 150' OF STORAGE

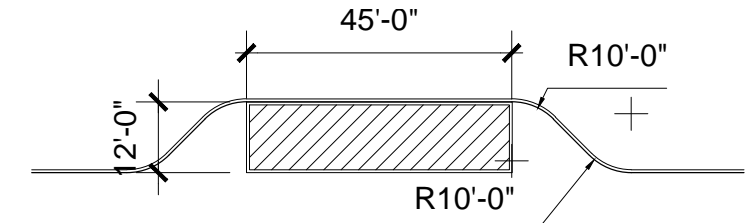
BUILD OUT OF A THREE-QUARTER ACCESS DRIVEWAY, ALLOWING RIGHT-IN, LEFT-IN, AND RIGHT-OUT MOVEMENTS.

IMPROVEMENTS INCLUDE INSTALLATION OF A 150' NORTHBOUND RIGHT TURN DECELERATION LANE AND A 150' SOUTHBOUND LEFT TURN LANE.

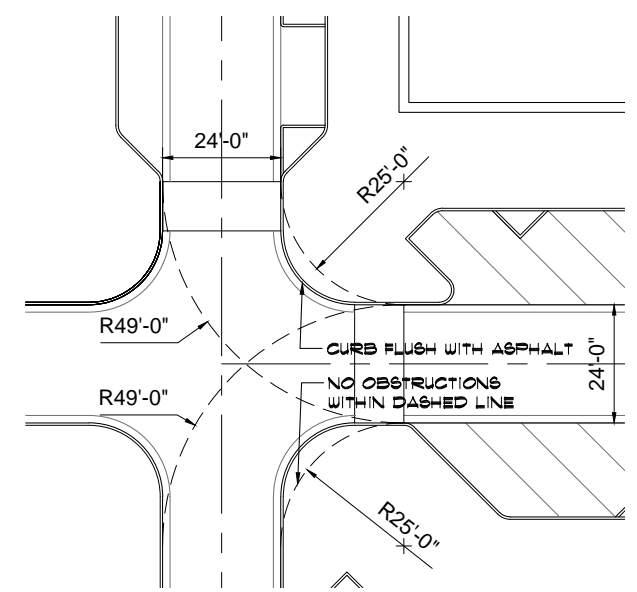
- LEGEND:**
- ARTERIAL+ COLLECTOR ADJACENT VEHICLE CIRCULATION
 - PRIMARY PROJECT VEHICLE CIRCULATION (EMERGENCY SERVICE VEHICLE)
 - VEHICULAR GARAGE ACCESS POINT
 - DROP OFF/RIDESHARE AREA
 - PASSENGER LOADING ZONE
 - 🚲 BICYCLE PARKING AREA (3 RACKS PER BUILDING)
 - 🚲 BICYCLE REPAIR STATION (ACCESSIBLE TO PUBLIC)
 - 🚦 EXISTING TRAFFIC SIGNAL
 - 🚦 PROPOSED TRAFFIC SIGNAL
- GENERAL NOTES**

1. MAINTAIN AN 13' - 6" VERTICAL CLEARANCE ALONG ALL ROADWAYS.
2. ALL BUILDINGS ON SITE WILL PROVIDE REQUIRED FIRE DEPARTMENT CONNECTION.
3. BICYCLE PARKING AREA DESIGNATION CONTAINS BICYCLE RACKS DESIGNED PER CITY OF SCOTTSDALE STANDARD DETAIL #2285 (3 RACKS PER LOCATION)
4. ALL RESIDENTIAL BUILDINGS WILL HAVE SECURED INDOOR BICYCLE STORAGE

TWO-WAY LEFT TURN LANE MODIFICATION FROM SOUTHBOUND LEFT TURN



02 TYP. PASSENGER LOADING ZONE
SCALE: 1/16"=1'-0" REF: 0 8' 16' 32'

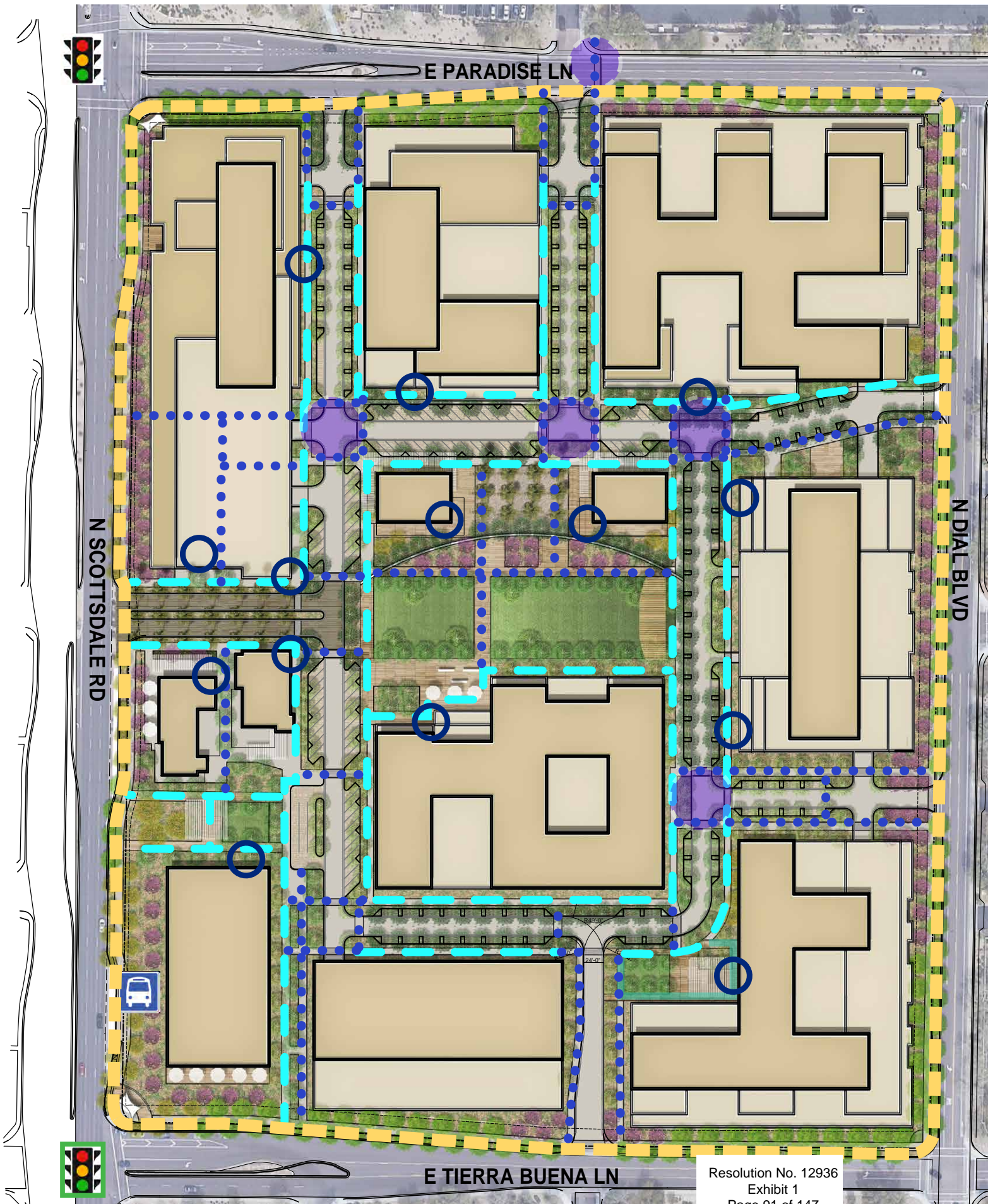


01 TYP. INTERSECTION
SCALE: 1/16"=1'-0" REF: 0 8' 16' 32'









SEE SHEET 118.1 FOR E TIERRA BUENA LN CONFIGURATION

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VEHICULAR CIRCULATION



LEGEND:

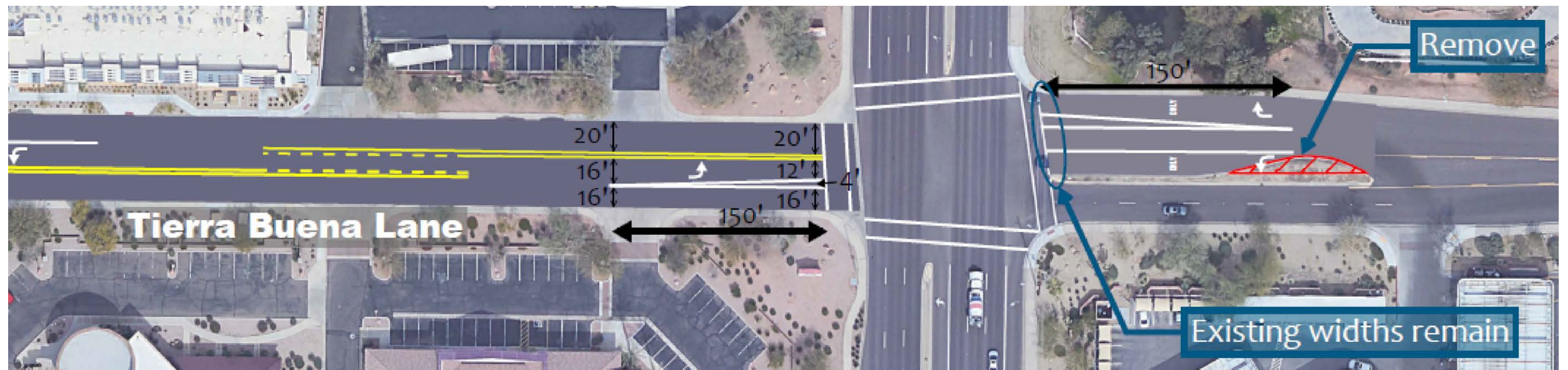
-  DETACHED PUBLIC PERIMETER WALKWAY (8' WIDTH MINIMUM DETACHED SIDEWALK)
-  PRIMARY PROJECT WALKWAY (8' WIDTH MINIMUM)
-  SECONDARY PROJECT WALKWAY (6' WIDTH MINIMUM)
-  PEDESTRIAN NODE / ENHANCED CROSSWALK
-  CONCEPTUAL BUILDING ENTRY
-  BUS STOP AND FULL SHELTER
-  EXISTING TRAFFIC SIGNAL
-  PROPOSED TRAFFIC SIGNAL

NOTES:

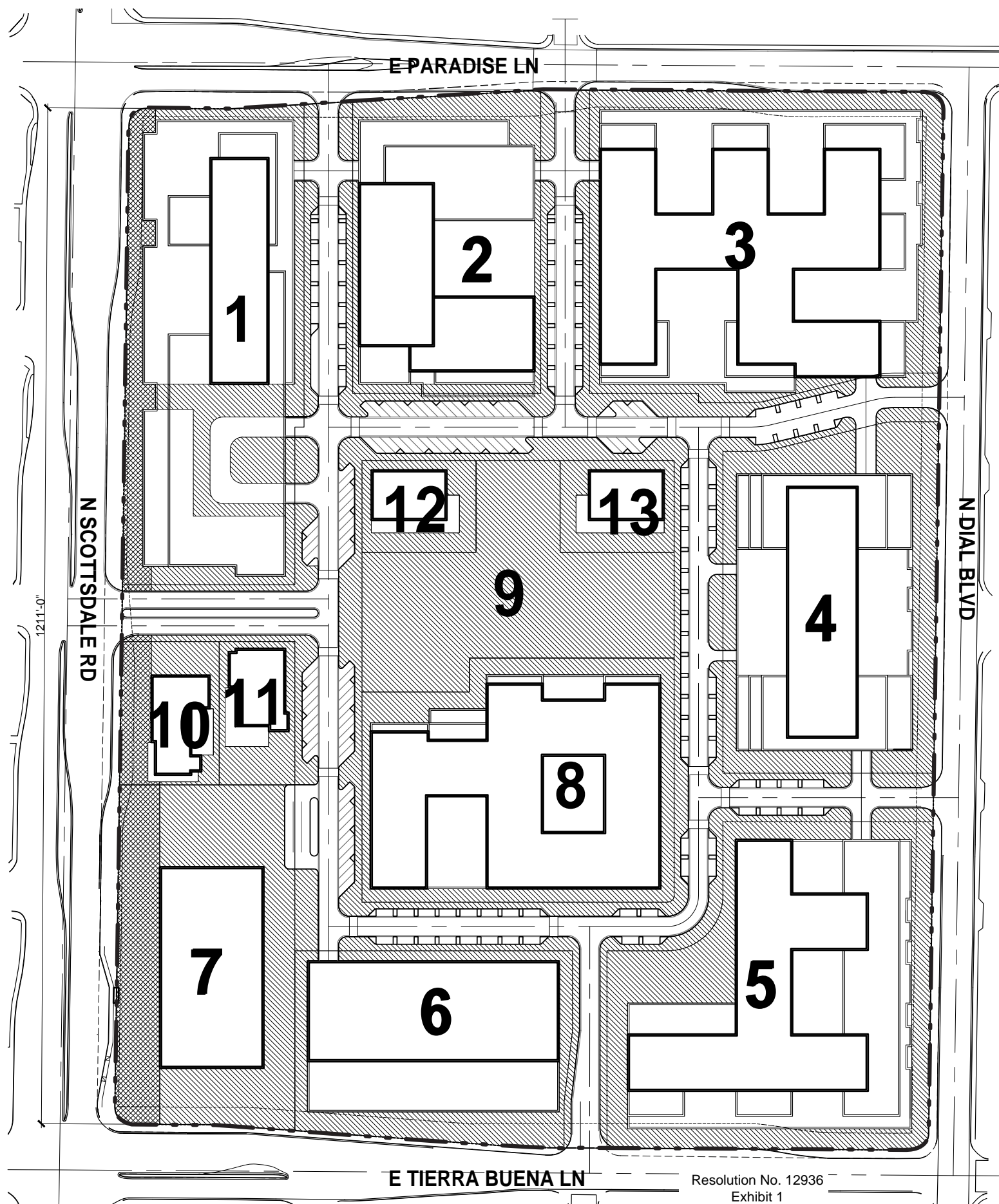
- *ALL ALLEYS AFFECTED BY THIS PROPOSAL TO BE REPAVED AND INCLUDED POSITIVE DRAINAGE ALONG THE ALLEY (SECTION 3-1.701 OF THE DSPM)
- *ALLEY CONNECTIONS TO STREETS TO BE RECONSTRUCTED TO INCLUDE AN ADA ACCESSIBLE PEDESTRIAN CROSSING (SECTION 3-1.701 OF THE DSPM)
- *CONSTRUCTION WORK IN ALLEYS TO BE COORDINATED WITH SOLID WASTE TO AVOID DISRUPTIONS IN SERVICE (SECTION 5-2.616 OF THE DSPM)
- *ALL NON-ADA COMPLIANT PEDESTRIAN RAMPS ABUTTING THE PROJECT SITE ARE TO BE RECONSTRUCTED (SECTION 5-8.205 OF THE DSPM)

NOTES

1. LANE WIDTHS AND ALIGNMENT ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE SUBMITTED AND APPROVED T.I.M.A.



01 TIERRA BUENA LANE RE-STRIPE
SCALE: 1/32"=1'-0" REF:



PROJECT INFORMATION

CURRENT ZONING: C-4
 PROPOSED ZONING: Planned Airpark Core Development - Airpark Mixed Use - Residential with Planned Development Overlay

GROSS SITE AREA: 32.29 ACRES (1,406,793 SF)
 NET LOT AREA: 27.72 ACRES (1,207,435 SF)

OPEN SPACE CALCULATIONS

OPEN SPACE REQUIRED
 1,207,435 SF x 0.25 = 301,859 SF (minimum)
 1,207,435 SF x 0.28 = 338,082 SF (bonus)

FRONT OPEN SPACE REQUIRED
 1,211' Frontage x 30 SF = 36,330 SF (minimum)
 1,211' Frontage x 50 SF = 60,550 SF (maximum)

OPEN SPACE PROVIDED
 FRONT OPEN SPACE: 39,912 SF

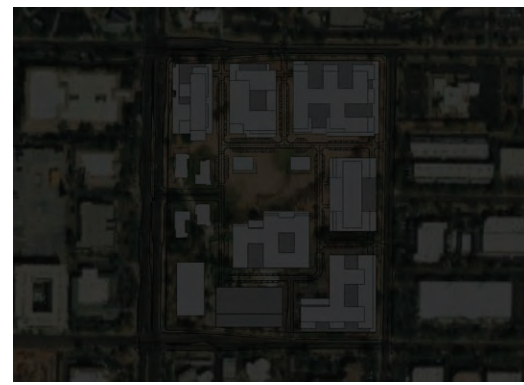
OPEN SPACE OTHER THAN FRONT: 382,320 SF

PARKING LOT LANDSCAPING: 0 SF

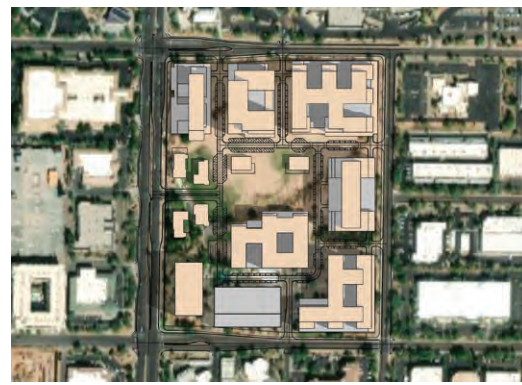
TOTAL: 422,232 SF (20 % above required - bonus)

LEGEND	
	FRONT OPEN SPACE = 58,038 SF
	OPEN SPACE OTHER THAN FRONT = 405,108 SF
	PARKING LOT LANDSCAPING = 0 SF

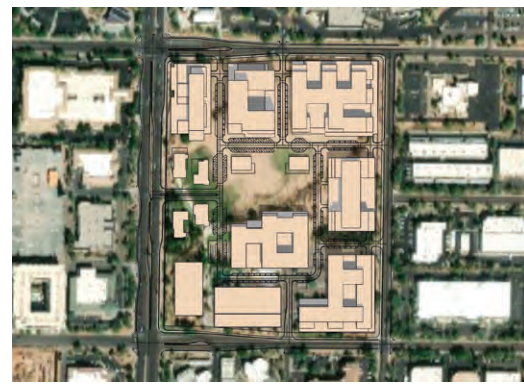
PARCEL	NET AREA (SF)	NET AREA (Acre)	BUILDING SF	FAR	RESIDENTS	OPEN SPACE (SF)	FRONTAGE OPEN SPACE (SF)
1	118,438	2.72	201,075	1.70		24,145	12,907
2	79,532	1.83	362,132	4.55	126	13,929	
3	149,216	3.43	374,765	2.51	373	25,438	
4	102,198	2.35	327,600	3.21	115	30,527	
5	130,144	2.99	312,005	2.40	310	37,867	
6	73,824	1.69				19,536	
7	85,971	1.97	150,000	1.74		34,577	20,447
8	103,065	2.37	335,720	3.26	312	21,582	
9	63,005	1.45				63,005	
10	20,038	0.46	6,000	0.30		5,054	6,054
11	15,387	0.35	6,000	0.39		7,451	
12	14,853	0.34	5,400	0.36		7,428	
13	14,853	0.34	5,400	0.36		7,428	
STREET TRACT	236,911	5.44				84,353	504
TOTAL	1,207,435	27.72	2,086,097	1.73	1236	382,320	39,912



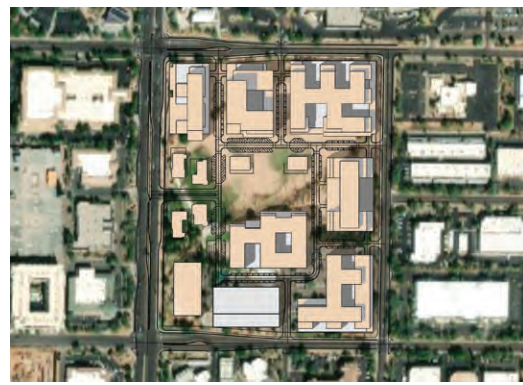
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MARCH . 21 . 2022 (9:00AM)



MARCH . 21 . 2022 (12:00PM)



MARCH . 21 . 2022 (3:00PM)



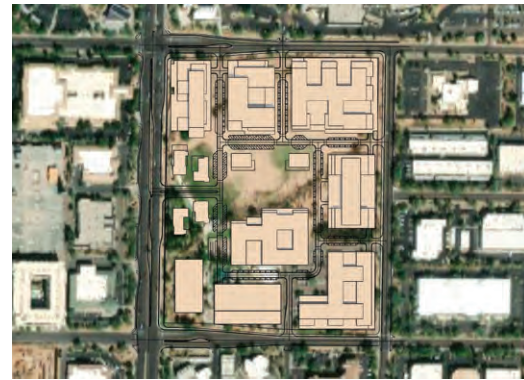
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JUNE . 21 . 2022 (6:00AM)



JUNE . 21 . 2022 (9:00AM)



JUNE . 21 . 2022 (12:00PM)



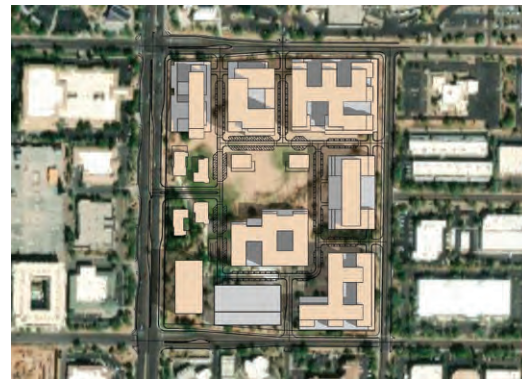
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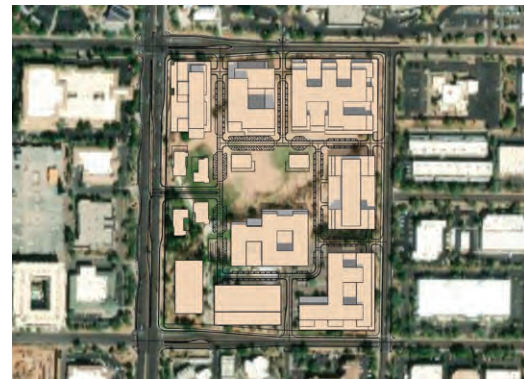
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SEPTEMBER . 21 . 2022 (6:00AM)



SEPTEMBER . 21 . 2022 (9:00AM)



SEPTEMBER . 21 . 2022 (12:00PM)



SEPTEMBER . 21 . 2022 (3:00PM)



SEPTEMBER . 21 . 2022 (6:00PM)



DECEMBER . 21 . 2022 (6:00AM)



DECEMBER . 21 . 2022 (9:00AM)



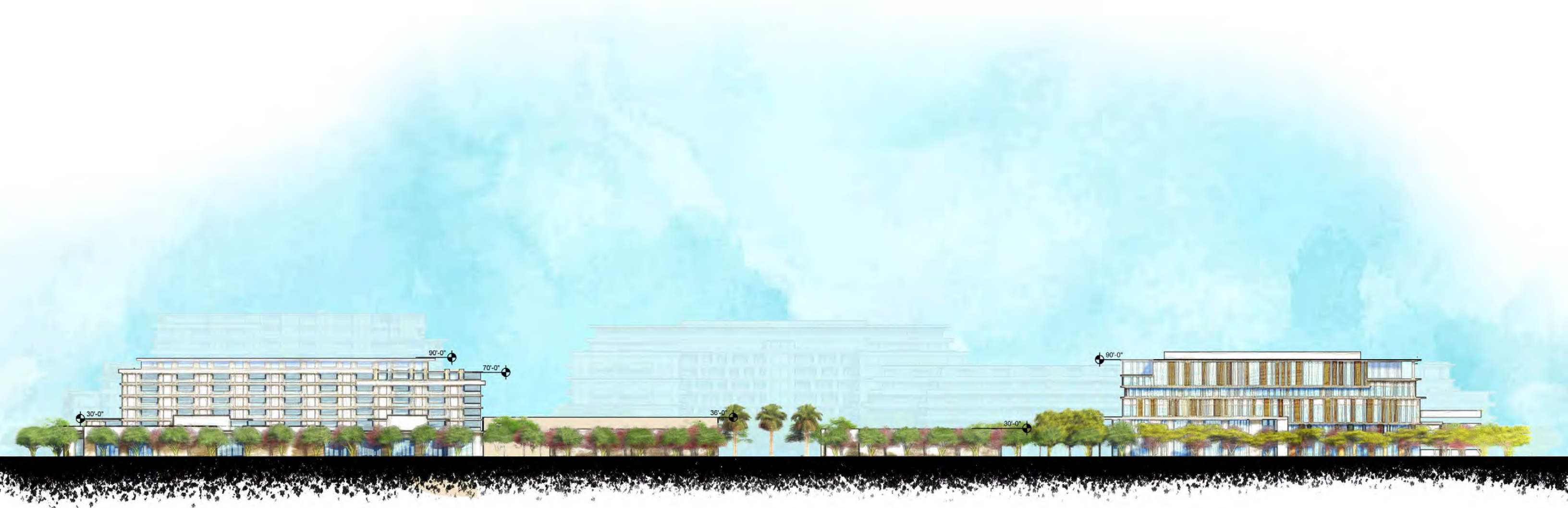
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DECEMBER . 21 . 2022 (3:00PM)



DECEMBER . 21 . 2022 (6:00PM)













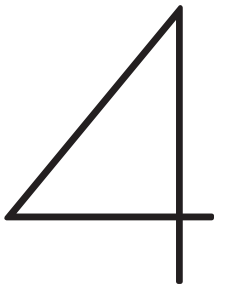








SUSTAINABILITY AND TECHNOLOGY

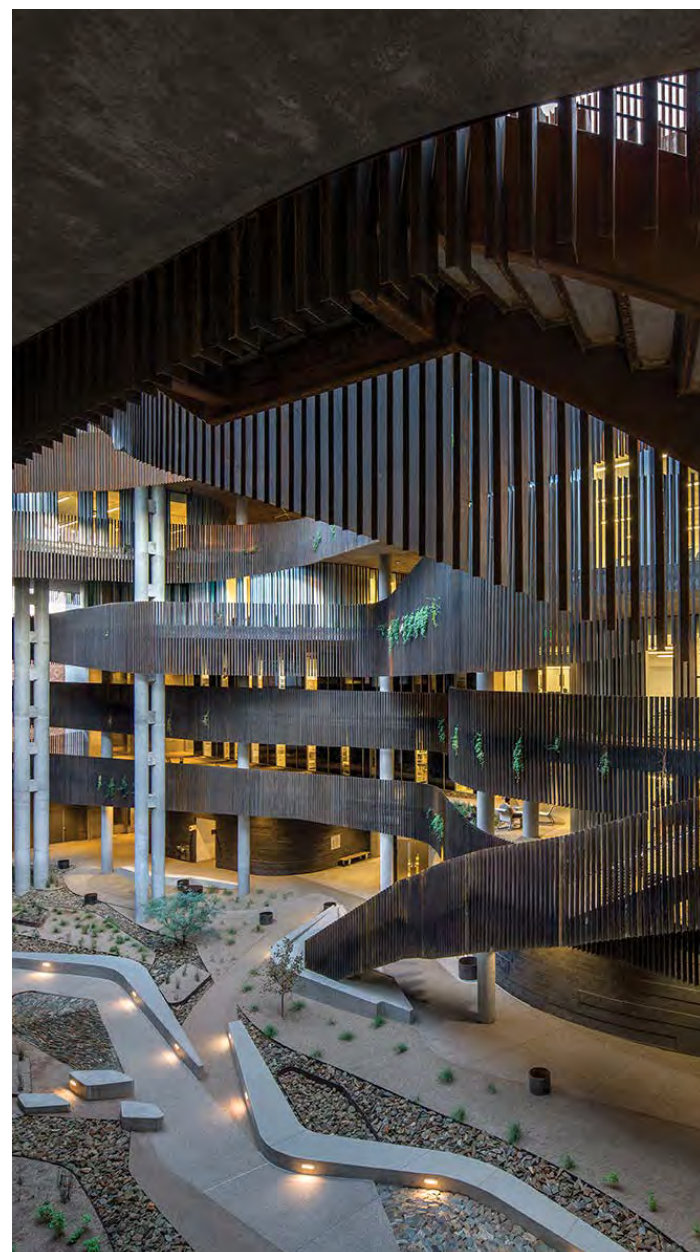




SUSTAINABILITY- SOCIAL

- Startup space for local small businesses such as artisans, coffee shops, and tech incubation. Incorporate higher tech education presence
- Offer childcare services
- Potential partnership with the Desert Botanical Garden or ASU/SUSD
- Create an Arboretum on site to sequester carbon, create a natural shade canopy, control erosion, regulate temperature, and provide educational opportunities





SUSTAINABILITY- TECHNOLOGY

- Communication and infrastructure spine cutting-edge technology, high-speed digital networks, data management and access to information, emerging technologies and future communication distribution models. Adapt planning for autonomous vehicles and autonomous logistics hubs. Site wide capacity for 100% EV
- Provide traceable and accessible data on cooling effects of sustainable strategies
- Monitoring of Sustainability Strategies (temperature, irrigation, storm water control)
- Use solar technology to offset traditional electric usage and realize cost savings
- Adapt natural wind cooling strategies to reduce reliance on traditional cooling technologies
- Utilize digital / augmented reality art experiences as part of central park
- Promote user interaction with central park by providing interactive art, light displays, informational park app
- Mechanical louver screens as building skin
- Use of Sustainable Materials (solar pavement, low heat retention, high permeability)
- Implementation of Passive Cooling (building orientation to catch wind, ground floor paseos, building exhaust used for outdoor cooling)
- Use energy modeling as a design tool, compare mechanical systems and envelope strategies early in design for high performance buildings



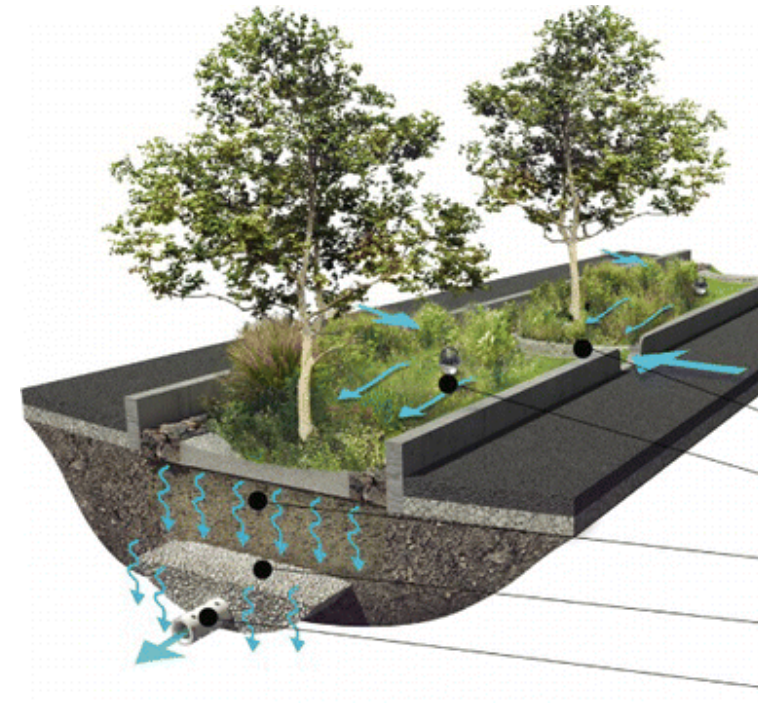
SUSTAINABILITY- ENERGY

- Implement centralized monitoring system for energy use site wide
- Conserve and manage energy on site, conceptually a closed loop system
- Climate specific orientation to minimize energy use : building massing, landscape, shade structures, canopies, recessed openings, mitigate direct solar impact
- Design for electric vehicle ready parking, ensure load capacity site wide includes future capacity for maximum electric vehicle parking
- Design efficiency into core development standards, planning for high performance buildings each connected to BAS (Building Automation Systems)
- Design for exceptional energy performance, track and measure using building controls, automate lighting, plug load controls, occupancy days/ times, include photovoltaics to offset use



SUSTAINABILITY- WATER

- Implement irrigation technology advancements for maximum water conservation
- Protect and conserve water on site
- Condensate and rainwater collection and re-use in landscape
- Low water use flush and flow fixtures
- Water use appliances Energy Star certified
- Subsurface irrigation only, native or low water use landscaping “desert lush”
- Rainwater collection and re-use on site.
- Develop a site wide water resiliency risk assessment and plan for maintaining operations of critical functions with future water limitations.

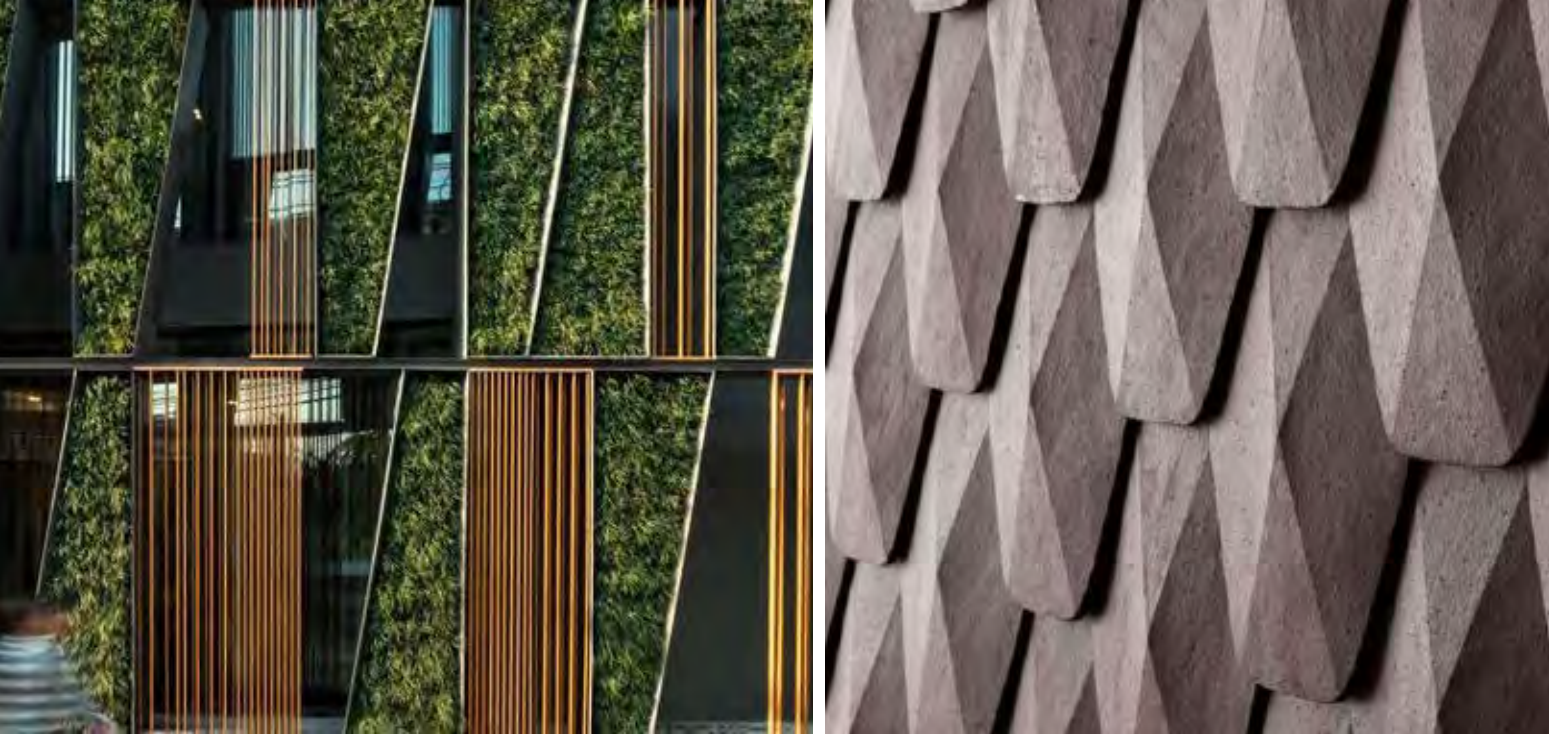




SUSTAINABILITY- HEALTHY BUILDINGS

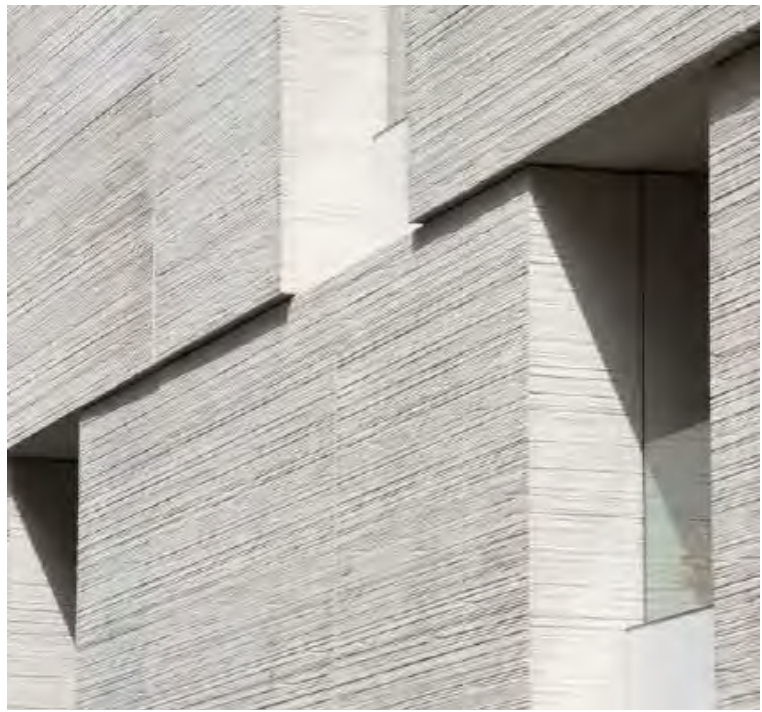
- Zero Volatile Organic Compound (VOC) interiors: Design guidelines include all interior paints/coatings/sealants/adhesives, insulation, flooring systems
- Daylighting/Views
- Limit or eliminate the use of PVC (supply plumbing, flooring, wall coverings, window treatments, windows and doors) and phthalates
- Zero added urea formaldehyde for all wood and composite wood
- Humidity control/humidistat
- Pollutant control, including mitigation of infectious agents
- Stair design – implement stairs with daylight and lighting to promote stair use





SUSTAINABILITY- MATERIALS AND RESOURCES

- Select and specify local and regional materials per International Green Construction Code (IgCC)
- Design for durability
- Construction waste management requirements in IgCC, exceed requirements
- Select and specify material for durability and resiliency





SUSTAINABILITY- HEALTHY LIVING

- Connect to nearby existing bike ways with way-finding and route extensions
- Pedestrian and bicycle paths accessible to public on site, fitness path included in park.
- Bicycle infrastructure (variety of parking options and locations, maintenance spaces)
- Connections to existing fitness infrastructure (bike ways, canal shared use paths)
- New fitness infrastructure (sports courts, open lawns, measurable looped paths)
- Flexible open spaces (farmers market)
- Circulation design to encourage pedestrian interconnectivity
- Encourage vehicular traffic to use perimeter access and parking
- Create a distinct street scape with pedestrian-scale lighting and seating options
- Provide enhanced sidewalks for an optimized pedestrian experience



SUSTAINABILITY- SITE DESIGN

- Permeable surfaces, high Solar Reflective Index (SRI) hard scape and roofing. Analyze and select hard scape to mitigate the urban heat island effect
- Covered parking, covered ride share areas, e-bikes, secure bike parking, and charging stations
- Low Impact Development (LID) Standards
 - Minimize the development impact on hydrology
 - Maintain runoff rate and duration from site
 - Integrated best management practices throughout the site
 - Implement pollution prevention, proper maintenance, and public education programs
- Bio-retention cells, storm water retention, modified infrastructure, vegetation areas, recycled materials, and sustainable site furnishings
- Create a shade-rich environment using pavilions, building overhangs, and a lush tree canopy
- Mitigate temperature across site with heat regulation strategies including cool paving



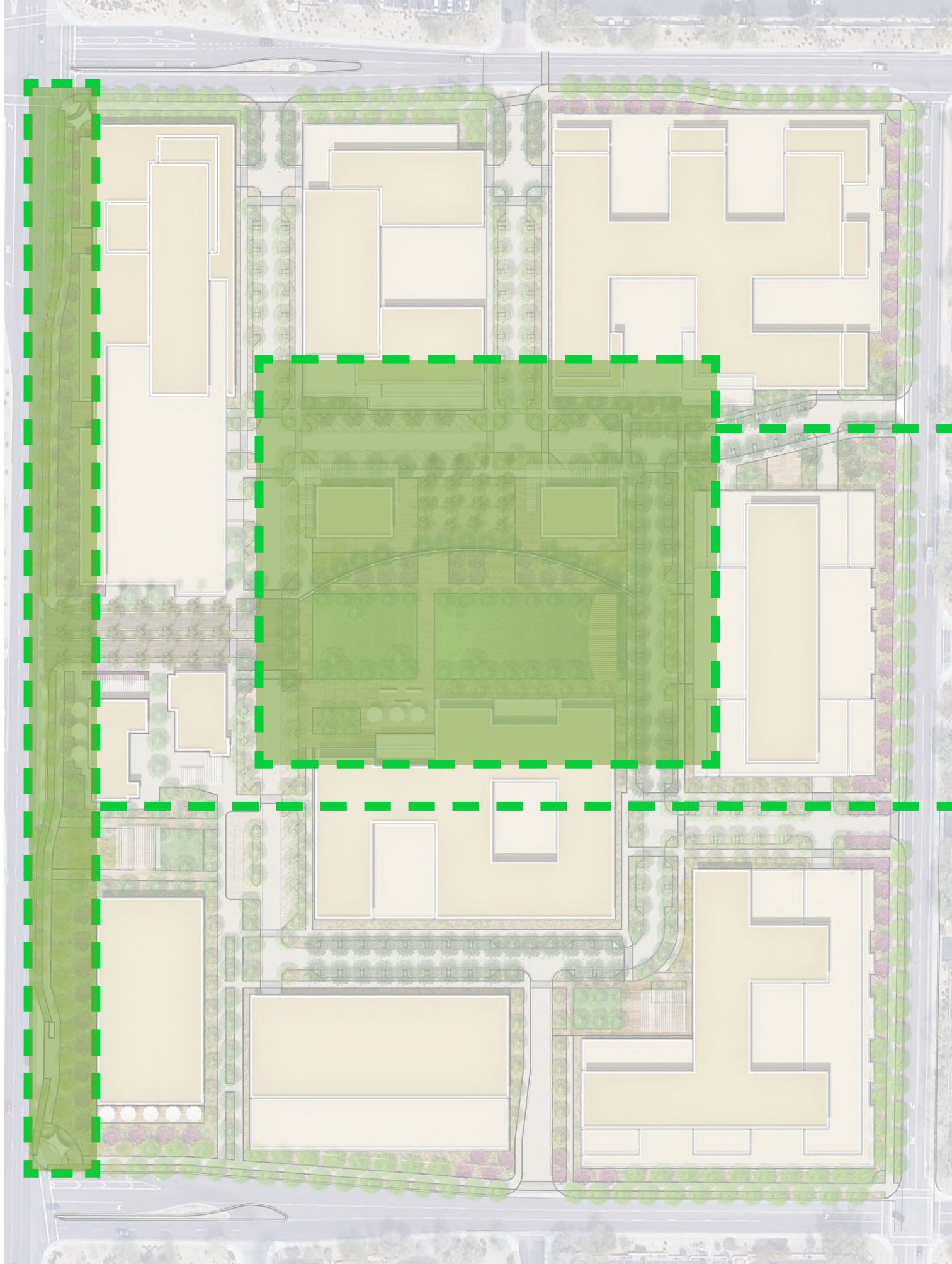
DESIGN GUIDELINES

5



ARCHITECTURE DESIGN GUIDELINES

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ENHANCED DESIGN ZONES

The purpose of the Enhanced Design Zones designation is to provide guidelines to achieve a differentiated project presentation and experience around two distinctly prominent areas. The Central Park will be a signature open space for North Scottsdale. This section of the guidelines will outline design expectations for these areas that will achieve the desired extraordinary pedestrian and vehicular experience. The frontage elements outlined here address Open Space, Building Massing and Facade Design.

PARK PERIMETER

The central park will be a premier open space destination in North Scottsdale. Buildings that form the perimeter edges of the park will be perceived as part of the park itself. Upgraded sensitivity to facade presentation and building massing are addressed.

SCOTTSDALE ROAD FRONTAGE

Scottsdale Road is a signature thoroughfare for Scottsdale. It is the front door and first impression for both residents and visitors. In this particular location, Scottsdale Road is also the borderline for the City of Phoenix.



ENHANCED DESIGN ZONES

BUILDING MASSING

Park Perimeter - Buildings with facades forming park perimeter edges need to respond to the open space by creating massing gestures that break up facades vertically. Massing should accent base conditions and enhance horizontality in the facade.

Scottsdale Road - Buildings along this frontage should be sized to provide visibility to the Central Park. Taller buildings should be located closer to the north and south ends of Scottsdale Road allowing vistas connecting to the Central Park.

BUILDING FACADES

Park Perimeter - Buildings along the park perimeter should have facade programming and design features that visually activate the park. At grade, uses should encourage outdoor patios and glass storefronts. Upper levels should encourage larger outdoor living space. All edges should participate in the park.

Scottsdale Road - Building facades on Scottsdale Road should represent Scottsdale's best with regard to design and materials. Commercial uses include creative design and stunning visual presence.



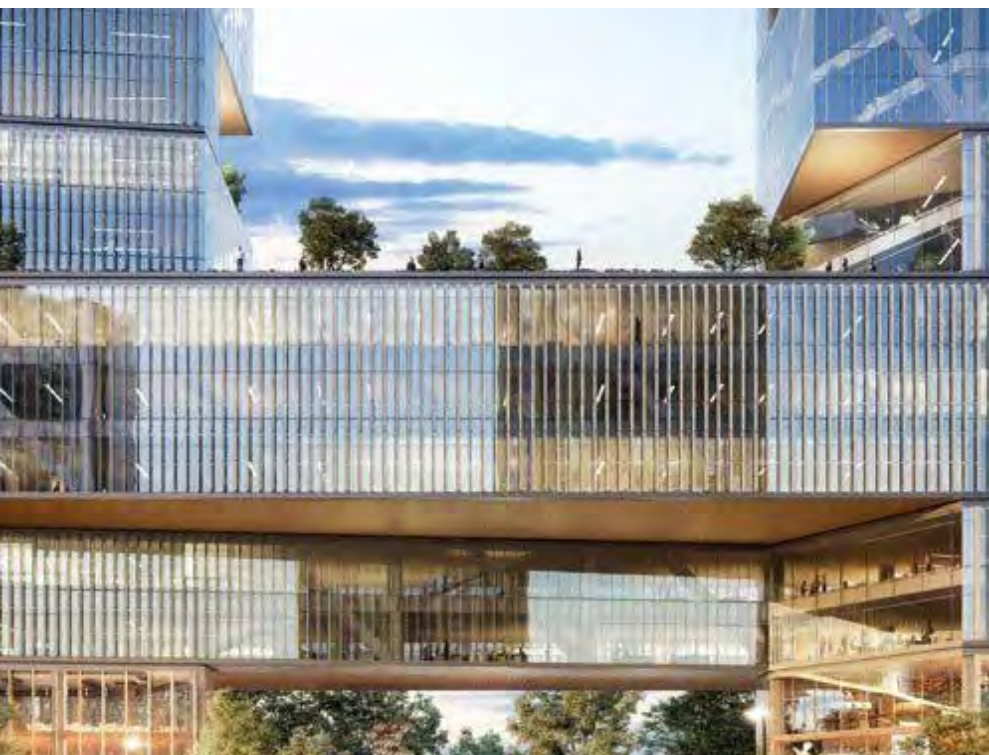
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OVERALL ARCHITECTURAL CHARACTER

The architectural character of the The Parque represents the evolution in the growth of the Scottsdale Airpark.

Buildings will respond with a delicate balance of consideration to the Sonoran Desert and cutting edge design expression. Design will reflect the project's core values and showcase the latest in technology and sustainability.





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BUILDING CHARACTER

RESIDENTIAL

Building design for residential uses should reflect high quality building facade materials. Residences should utilize louvers, overhangs, screens and other techniques to allow for visibility from the interior units while also mitigating solar heat gain affects.

Residential amenities should be designed to provide best in class facilities and promote a sustainable lifestyle.

Planning and programming should take advantage of seasonal climates that encourage indoor/outdoor experiences. Exterior finishes and layout should be high quality.



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BUILDING CHARACTER

HOTEL

Building design for the hotel should reflect the iconic destination of Scottsdale and the five star hotel brand. Form and finish should be high end and provide tourists and patrons with a uniquely Scottsdale experience.

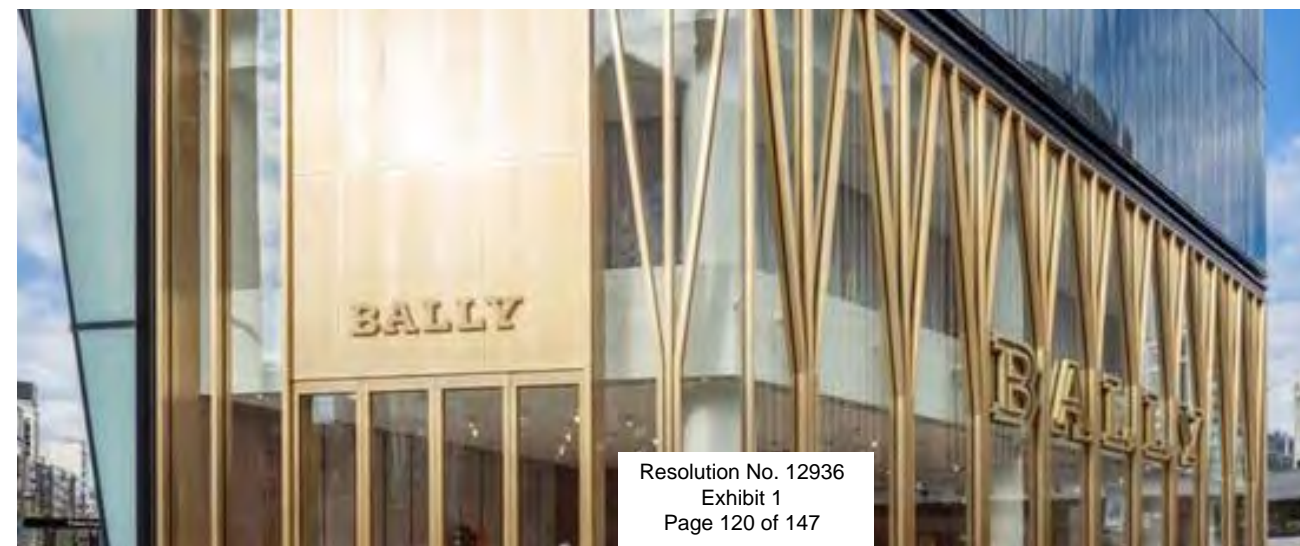
Hotel amenities should be designed to provide best in class facilities. Planning and programming should take advantage of seasonal climates that encourage indoor/outdoor experiences. Exterior finishes should incorporate high-end materials to enhance Scottsdale's reputation as a premier hospitality location.



BUILDING CHARACTER

RETAIL

Building design for retail uses should provide a high quality and visually stimulating experience for pedestrians at the ground level. The facade for retail development must provide shade for pedestrians. Upgraded finishes and glazing that provide great exposure of the store interior are highly encouraged. Design should balance creative variety and context blending into the upper levels.



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BUILDING CHARACTER RESTAURANTS

Building design for restaurant uses should serve to engage both the patron and the passing pedestrian with the energy and atmosphere of the establishment. This is accomplished through programming, planning, and facade design that promotes opening of the interior of the restaurant to the public way, while being aware of potential noise mitigation. Operable walls and large scale glazing are just two ways to achieve this.

Outdoor dining opportunities are highly encouraged as a supplementary effort to enhance the pedestrian experience.

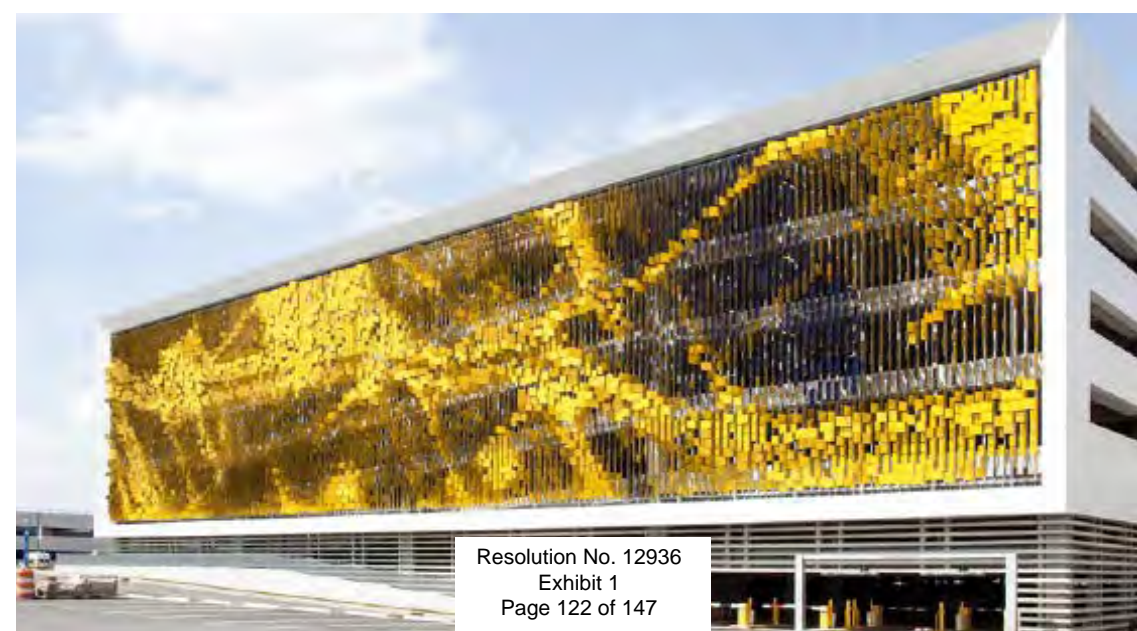
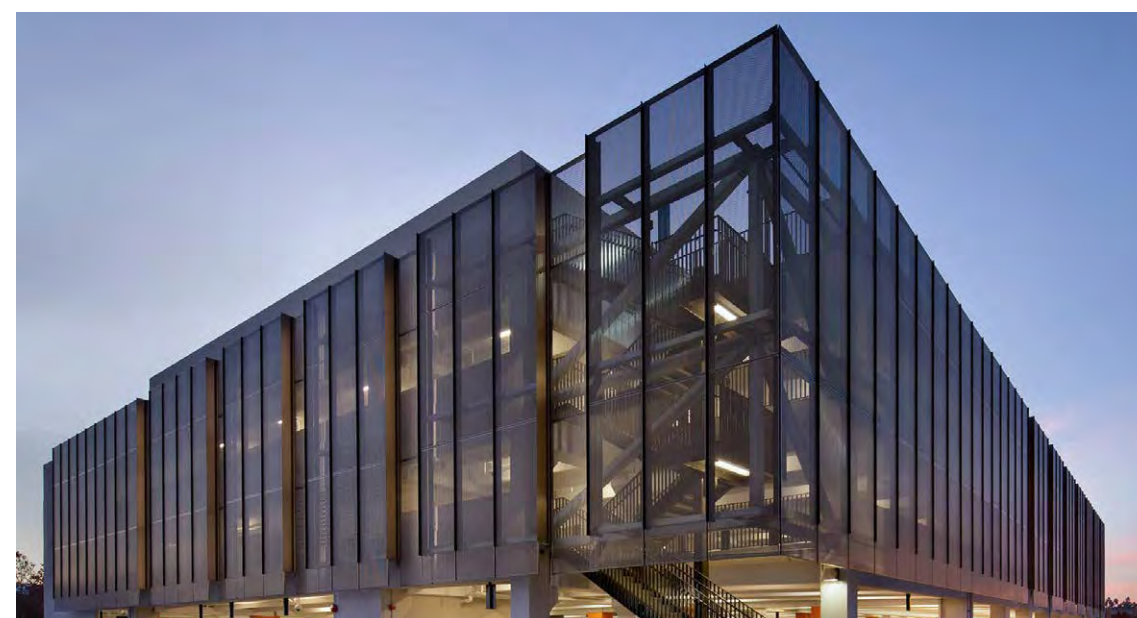




BUILDING CHARACTER

PARKING GARAGE

Buildings serving parking uses should be planned with efficient ease of navigation in mind. Exterior design of the parking facilities should serve to screen the parking function view from public ways. Creative and artistic screening solutions are highly encouraged for both functional and decorative purposes.



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BUILDING CHARACTER

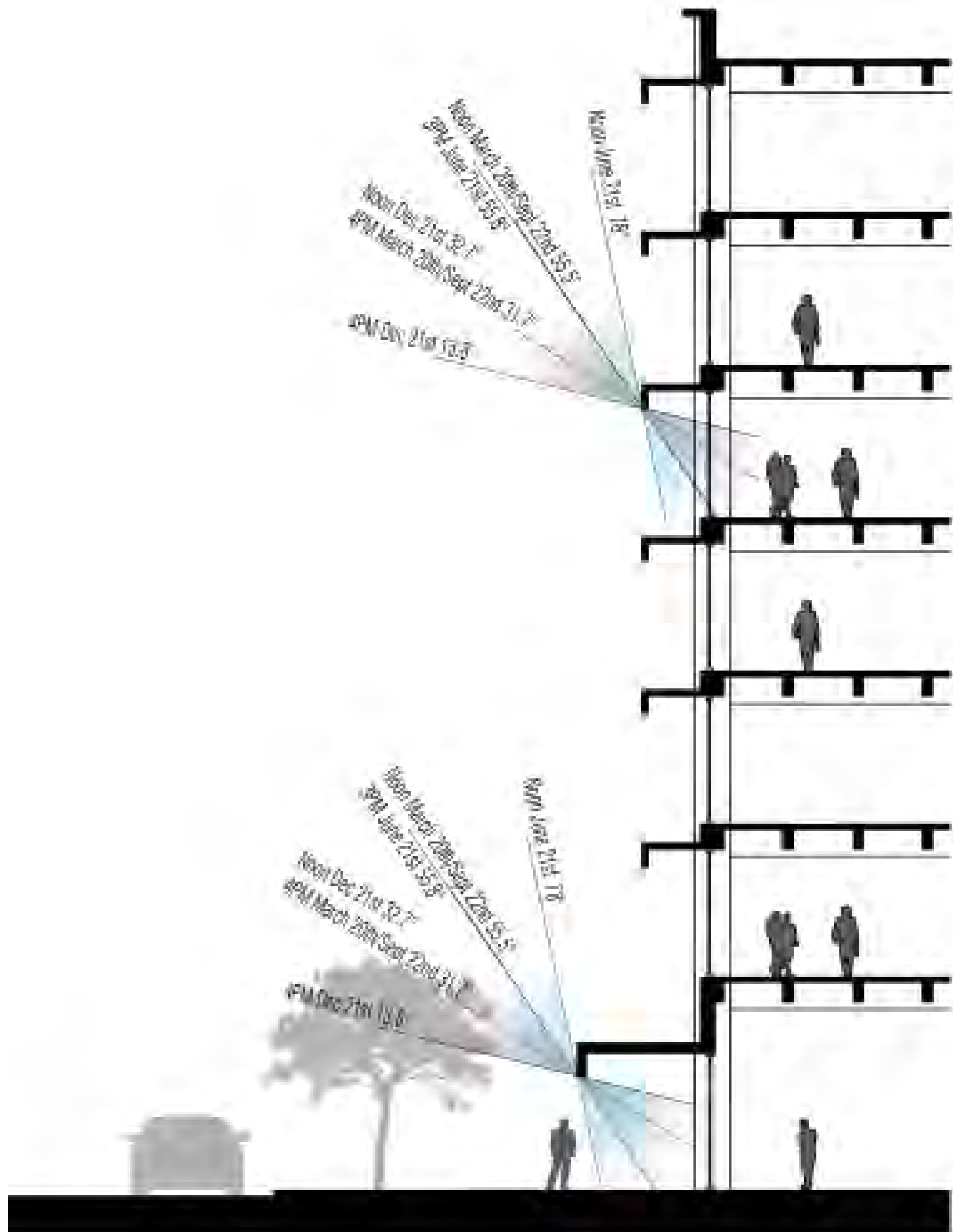
OFFICE

Building design for office uses should reflect timeless and contemporary design. Offices will serve to inspire additional corporate presence in the Airpark and building design should be equally inspirational.

Interior and exterior design should promote solutions to daylighting and solar heat mitigation. Layouts for programming elements should encourage outdoor working opportunities and assist in promoting active and balanced lifestyle for patrons and users.



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ENVIRONMENTAL RESPONSE

Orientation, Shade, & Rain Protection

Environmental comfort is one of the basic, underlying tenets that shapes the look and feel of the pedestrian oriented streets at The Parque In response to Scottsdale’s summer climate and monsoon season, The Parque provides various shading elements such as, but not limited to, suspended canopies, posted canopies, and awnings can be integrated into building and storefront designs as a part of the environmental strategy:

Shade/rain protection:

- Horizontal shading canopy are suggested
- Consideration should be given to the height and width ratio for the canopy.

Ground level shade/rain protection:

- For certain streets facing building facades at ground level canopies are suggested
- For certain south facing building facades, at the ground level canopies are suggested

Partial shade protection:

- Because shading strategies differ for various location’s solar exposures, partial shading designs will be considered on a case-by-case basis.
- For west and south facing facades’ — afternoon protection is desired

NOTE: Landscape may be utilized and will be considered as part of the shading strategy.

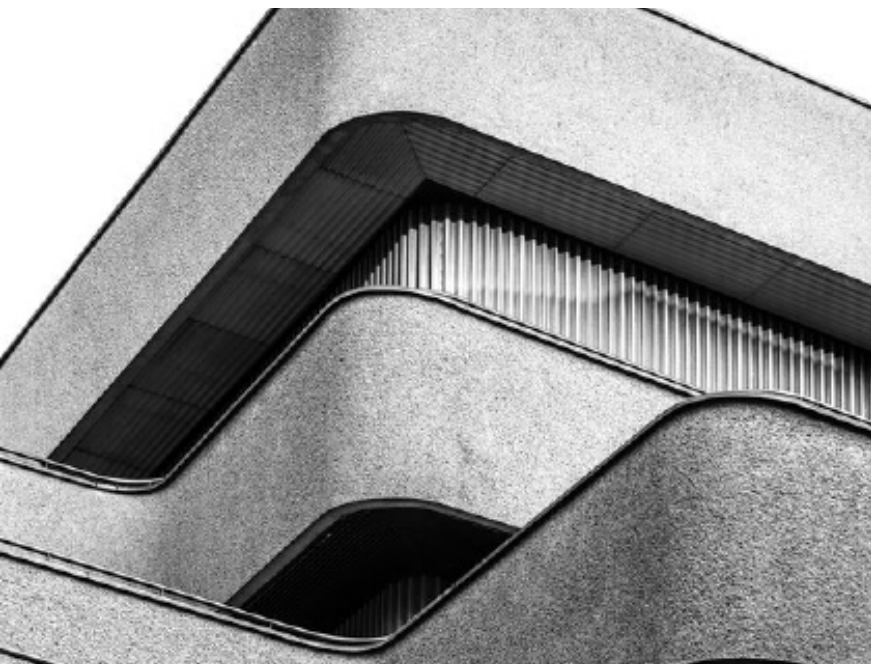


FORM AND SCALE

Building Massing

- Properly address the context of the Project site as a basic and to building design by understanding the surrounding building design, scale, and material..
- Use the base/middle/top design basis as a foundation to inform both building massing and programmatic functions. The base/middle/top organization does not necessarily imply stepping each section back as the facade goes up. Equal visual interest can be obtained by recessing the base and top as a delineation.
- Regarding programmatic delineation, ground level commercial functions should visually separate the base in conjunction with appropriate material and other anchoring elements. Program again helps to bolster the middle expression of the facade. Both hotel and residential programming lend themselves to a different and unique architectural expression of elements that can generate shade and shadowing patterns on the facade of the building.
- Furthermore, both of those program types typically house specialty uses on the top level.
- The presence of roof deck amenity programming, fitness rooms, lounges, and penthouses offer the ability to distinguish the top level architectural expression from the middle.





FORM AND SCALE

Facade Treatment

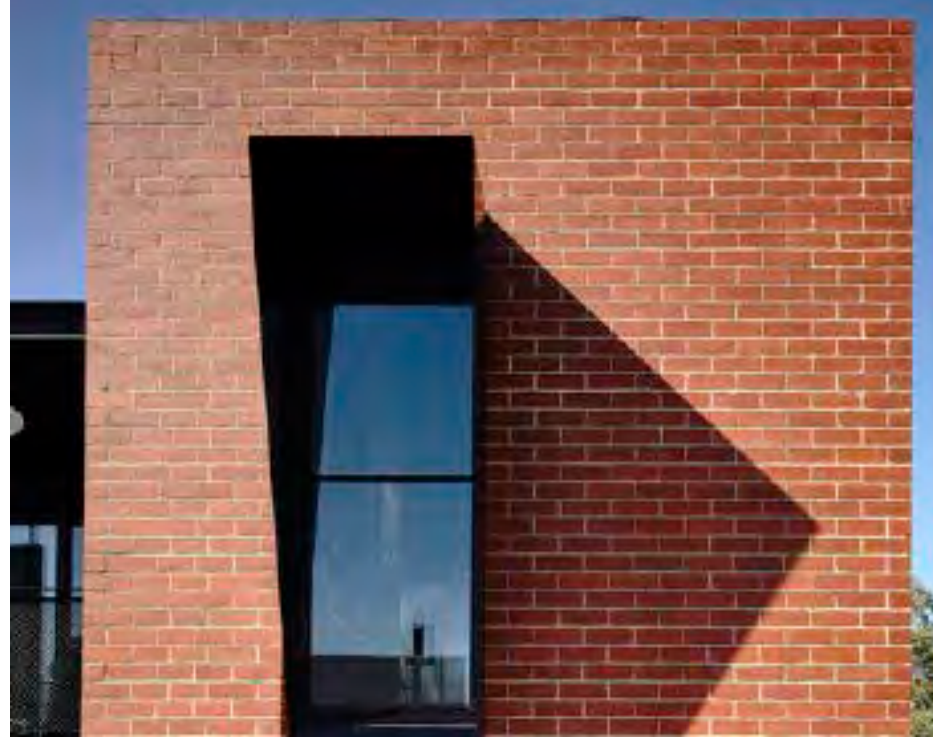
- Buildings should be composed to form dynamic building expressions and used to break up buildings into clear and distinct architectural elements.
- Quality design and detailing is encouraged on all sides of every building.
- Variation in building volume and plane and material are encouraged to create dynamic textures and variations with shade and shadow that are animated by the sun throughout the course of the day.
- Sun shading elements, projecting canopies, and awnings that provide cover and shade along the length of the street and shade building facades are encouraged
- The level of detail should be enhanced at the street frontage with refined materials and strong entry elements.
- Transparency of building facades is encouraged at the ground floor when abutting pedestrian areas.

Openings

- Doorways should address human scale and comfort and therefore head height for such openings may fall into the range of 8' to 12'.

Roof Treatments

- Buildings that strive to be iconic should be focused on how the top of the building meets the sky and alters the skyline of the district. Roof expressions in this district are encouraged to be dynamic in a way that supports and improves the skyline of the district. Variation in expression, texture, and height is encouraged.



MATERIALS

Building materials should reflect a high quality of craftsmanship, through the careful design and detail of how materials are used, selected, and featured in architecture. Building materials should be used to create architecture that is both timeless and contemporary.

Masonry

Careful attention to detail is required at all connections and transitions to other materials. Edge details should prevent visible unfinished edges. Natural stone must be protected against staining and discoloration by means of sealants appropriate to the material.

Limestone

- Regionally sourced
- Varied colors, sizes and textures

Brick

- Natural tones are encouraged
- Blends with limited variation and similar hues

CMU

- Burnished
- Integral color

Other Natural Stone

Finishes for stone may include, but are not limited to:

- Polished
- Sandblasted
- Flamed
- Honed
- Split-face
- Carved





Concrete

Many precast stone and concrete products that are currently available may be appropriate.

- Cast-in-Place
- Precast
- Board or linear formed concrete

Wood

Wood is best used in locations with minimal weather exposure, and the wood used must be kiln dried, mill quality, and specified clear with no knots and minimal imperfections. Care should be used with wood in exterior applications due to the environmental wear on the material. Acceptable wood species may include:

- IPE
- Cedar
- Cypress
- Mahogany
- Oak

Finishes for wood may include, but are not limited to:

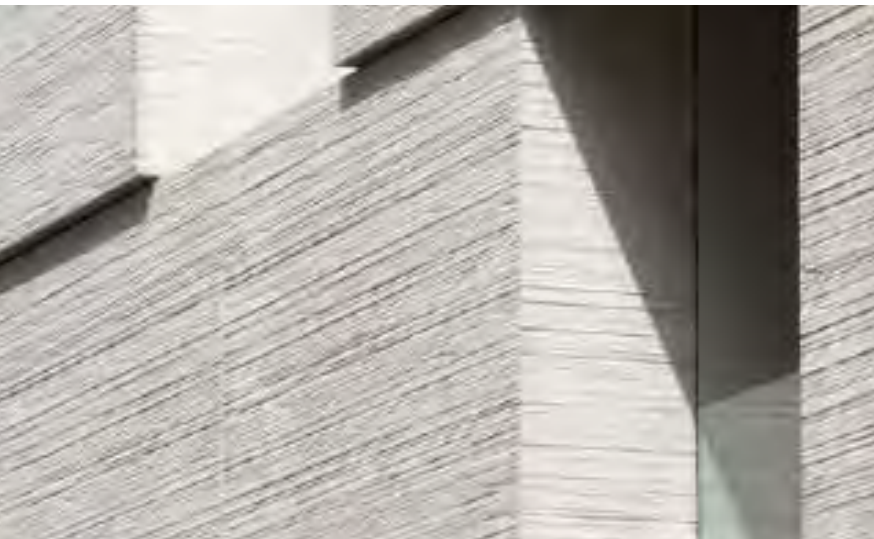
- Painted wood (enamel finish)
- Clear, preservative sealant
- Stained and sealed

Glass

Glass is vital for interior–exterior dialogue, and therefore should be carefully considered to optimize uses. Ground level glazing on shall have a visible transmittance (VT) of 0.6 or greater.

Glass may include, but are not limited to:

- Clear
- Tinted (Greys, Blues)
- Frosted
- Channel Glass
- Stained and sealed



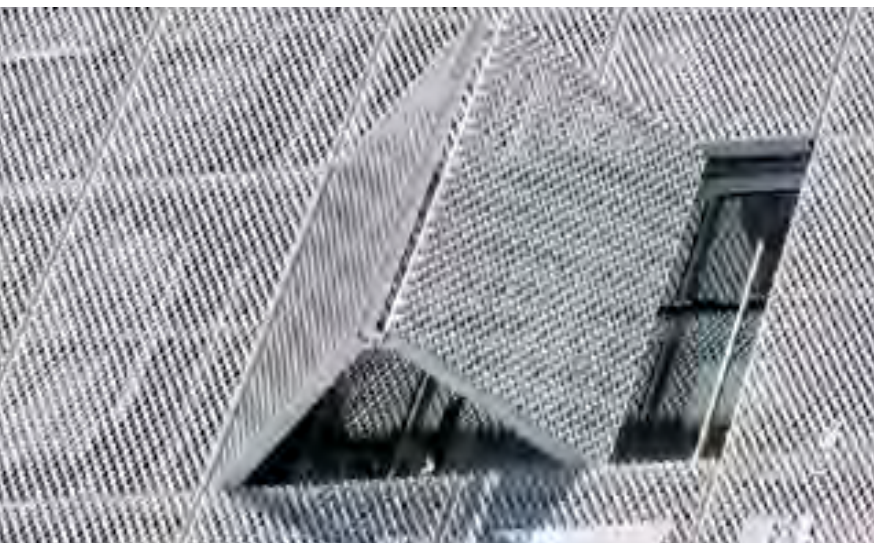


Cladding

Exterior cladding should be highly detailed at all connections and transitions to other materials. Exterior edge details must prevent visible unfinished edges. Exterior cladding can also have a variety of different styles and finishes, but all cladding should be complementary to the design aesthetic of the development.

Finishes for cladding may include, but are not limited to::

- Curtain Walls
- Rain screens
- Metal profile
- Tile handing



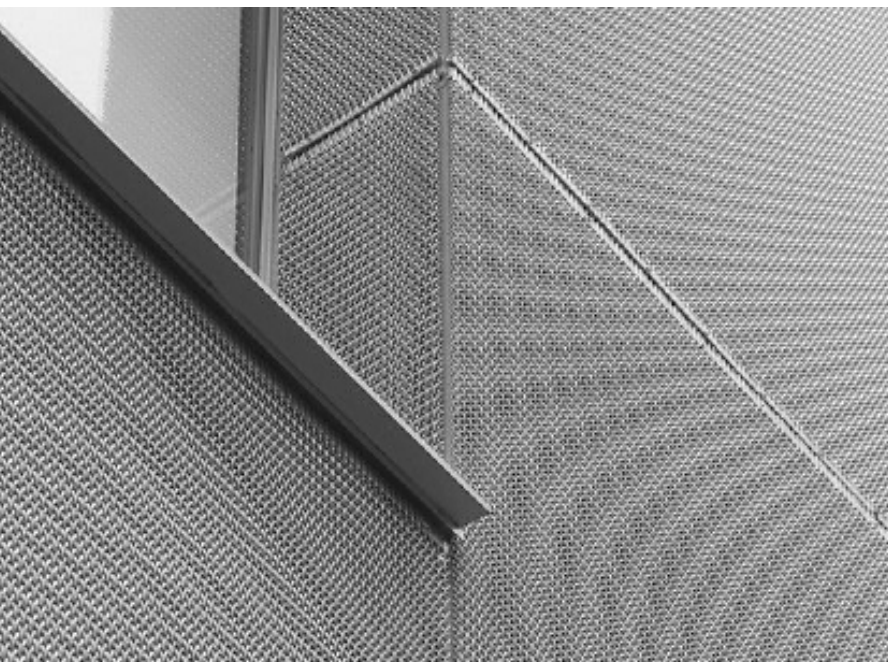
Terracotta

Architectural Terracotta screening can be used in a variety of different ways. Terracotta material applications may include, but are not limited to:

- Rain screens
- Wall Cladding
- Louvers

Limited Finishes

- Painted CMU (inside of service yards only)
- Stucco (in back of house locations)
- EIFS
- Polished Metal (should be solid not plated, and should be limited to accent trim)
- Unique treatments of metal (painted, rusted, imprinted, and etched metals)
- Engineered synthetic or composite wood-like materials may be used



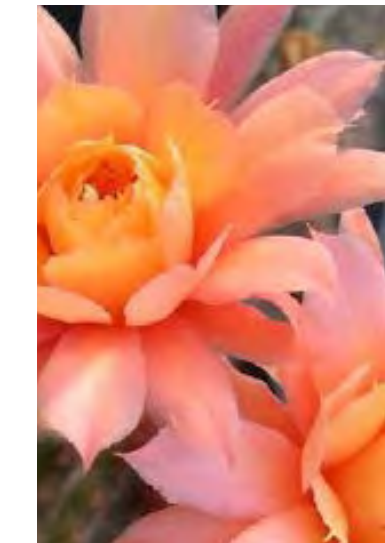


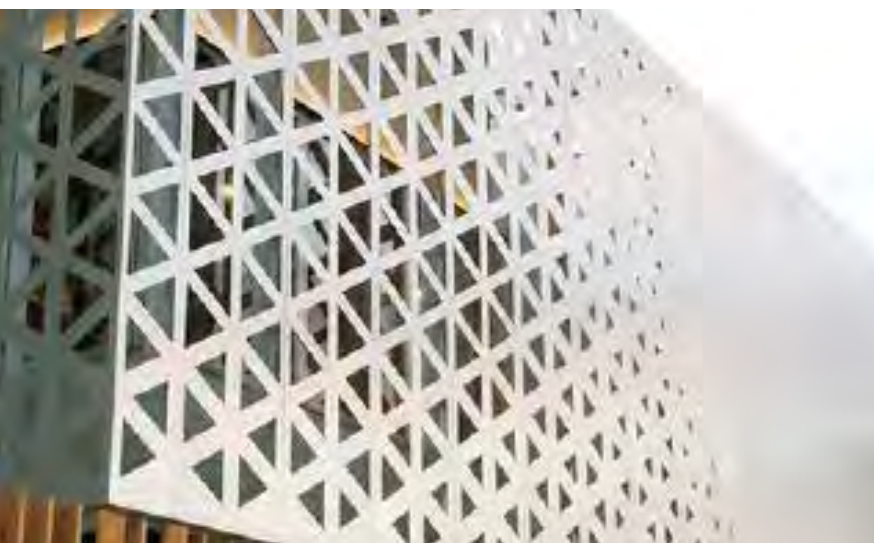
Accent Colors

In addition to rich natural earth tones, the desert landscape also contains a diverse range of colors and hues that change throughout the seasons. Desert blooms showcase and include, but are certainly not limited to, vibrant blue, red, orange, yellow, purple, and gold tones that carpet the desert floor at different times throughout the year and in response to variations in natural conditions. Sunsets also create a dramatic backdrop to the desert landscape as dynamic colors paint the sky at dusk. The Parque will pay homage to the diverse color palette found in the Sonoran Desert.

Such desert bloom color palette applications may include, but are not limited to:

- Accent color on building facades
- Highlight entrances
- Shade and art installations, permanent and temporary
- Accent materials for hard scape and landscape





SCREENING

Mechanical Equipment

Mechanical equipment, whether at grade or on a building’s roof, should be screened from ground level public view with architectural and/or landscape materials or they should be located so as not to be visible from public ways.

Utility Equipment

Utility equipment (vents, stacks, gas and water meters, etc.) and associated protective materials (bollards, etc.) should be screened and painted so as to blend in with the roof or building. Fencing or screens must meet all code and proprietary clearances.

Service Areas

Service areas (trash, recycling, mechanical areas, storage, utility, and meter rooms) should be architecturally integrated within the body of the building or located in service alleys at the backs of buildings and be screened from ground level public sight. Masonry or opaque steel doors and screens may be used. Chain-link with vinyl strips is not acceptable. The effectiveness of the equipment screening should also take into consideration future development in the surrounding area.

Using a variety of year-round plant species is ideal when screening equipment. Use plant species that are capable of withstanding Arizona desert climate. Maintenance of the plant materials used for screening is required. Refer to the Landscaping and Hardscaping section of these guidelines for more information.



LIGHTING

Promote quality site lighting design with the goal of providing a rich and welcoming evening environment with safety and security as a priority. The use of lighting should be integrally designed as part of the built environment and should reflect a balance for the lighting needs with the contextual ambient light level and surrounding nighttime characteristics.

Lighting solutions are encouraged to utilize:

- Full cut-off or fully shielded fixtures, set mounting heights as required to effectively control glare, light trespass, and maintain dark skies.
- Fixtures and strategies that promote energy conservation.
- Automatic controls systems to eliminate excessive light during non-active hours of site and building operation.
- Lighting on the exterior wall immediate to the storefront area which encouraged to help increase Tenant identity and to provide an appropriate level of comfort and rhythm for the pedestrian.
- Low-level, down-lighting integrated into the canopy to provide visibility and security. The lighting should enhance or be an extension of the design intent of the architecture.

All exterior lighting designs shall:

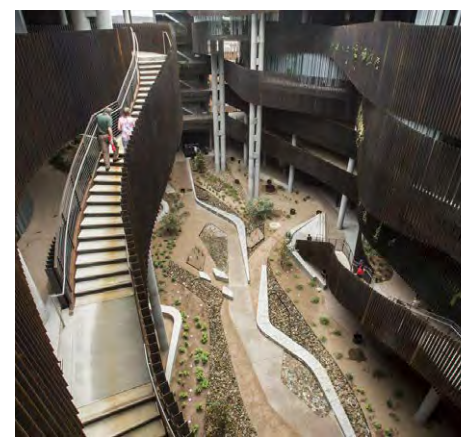
- Take into account all exterior lighting sources.

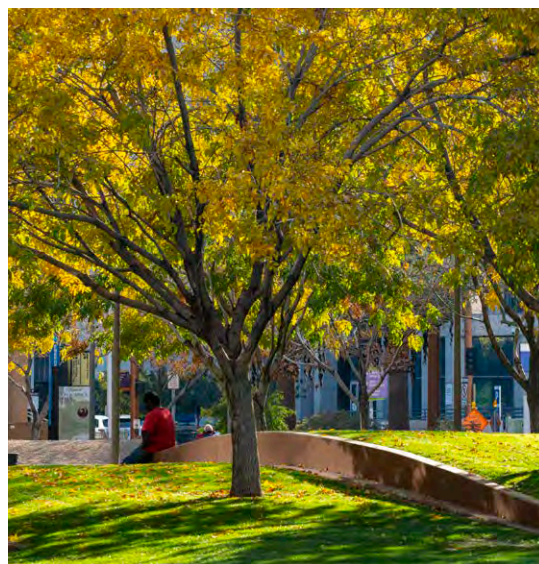
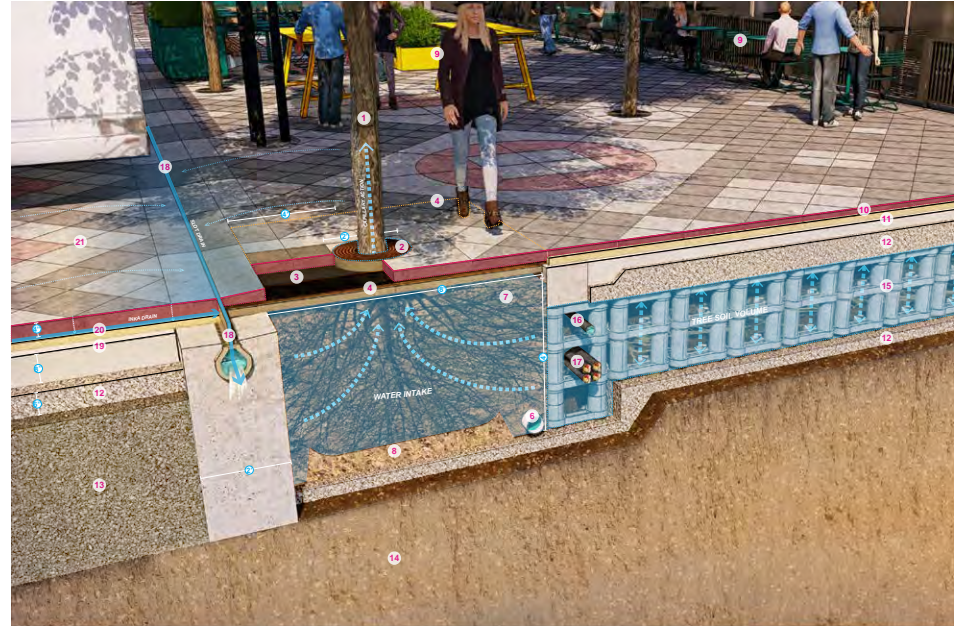
Please refer to the Landscape and Hard scape section of these guidelines for landscape lighting requirements.



LANDSCAPE DESIGN GUIDELINES

LANDSCAPE ARCHITECTURE





SUSTAINABILITY

HUMAN COMFORT

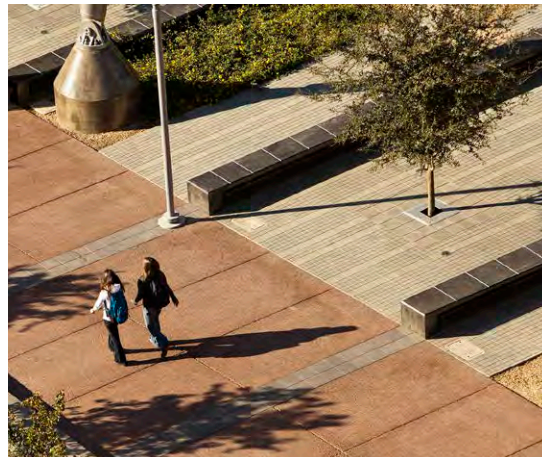
- Create a shade-rich environment using pavilions, building overhangs, and a lush tree canopy.
- Control temperature across site with heat regulation strategies including cool paving to mitigate the urban heat island effect.
- Capitalize on natural cooling opportunities by capturing wind flow across the site in ground floor paseos and programmed open spaces.

SOCIAL SUSTAINABILITY

- Provide startup space for local small businesses such as artisans, coffee shops, and designers.
- Incorporate an educational presence into the project.
- Create community benefit by offering childcare services.

ENVIRONMENTAL RESPONSIBILITY

- Create an Arboretum on site to sequester carbon, create a natural shade canopy, control erosion, and regulate temperature, as well as providing educational opportunities.
- Implement water conservation strategies including re-purposing AC condenser output, capturing storm water with permeable pavement and bioswales, and storing via underground storage tanks for secondary irrigation.



TECHNOLOGY

MEASURED SUCCESS

- Position project as a case study for future sustainable development in Scottsdale.
- Provide trackable and accessible data on cooling effects of sustainable strategies.
- Utilize fitness technology to allow residents to monitor and track health benchmarks.

MINIMIZE RESOURCE CONSUMPTION

- Use solar technology to offset traditional electric usage and realize cost savings.
- Adapt natural wind cooling strategies to reduce reliance on traditional cooling technologies.
- Implement irrigation technology advancements for maximum water conservation.

ADAPTABLE PROGRAM

- Utilize digital / AR art experiences as part of park attractions.
- Promote user interaction with park by providing interactive art, light displays, informational park app.



HEALTHY LIVING

ACTIVE PROGRAM

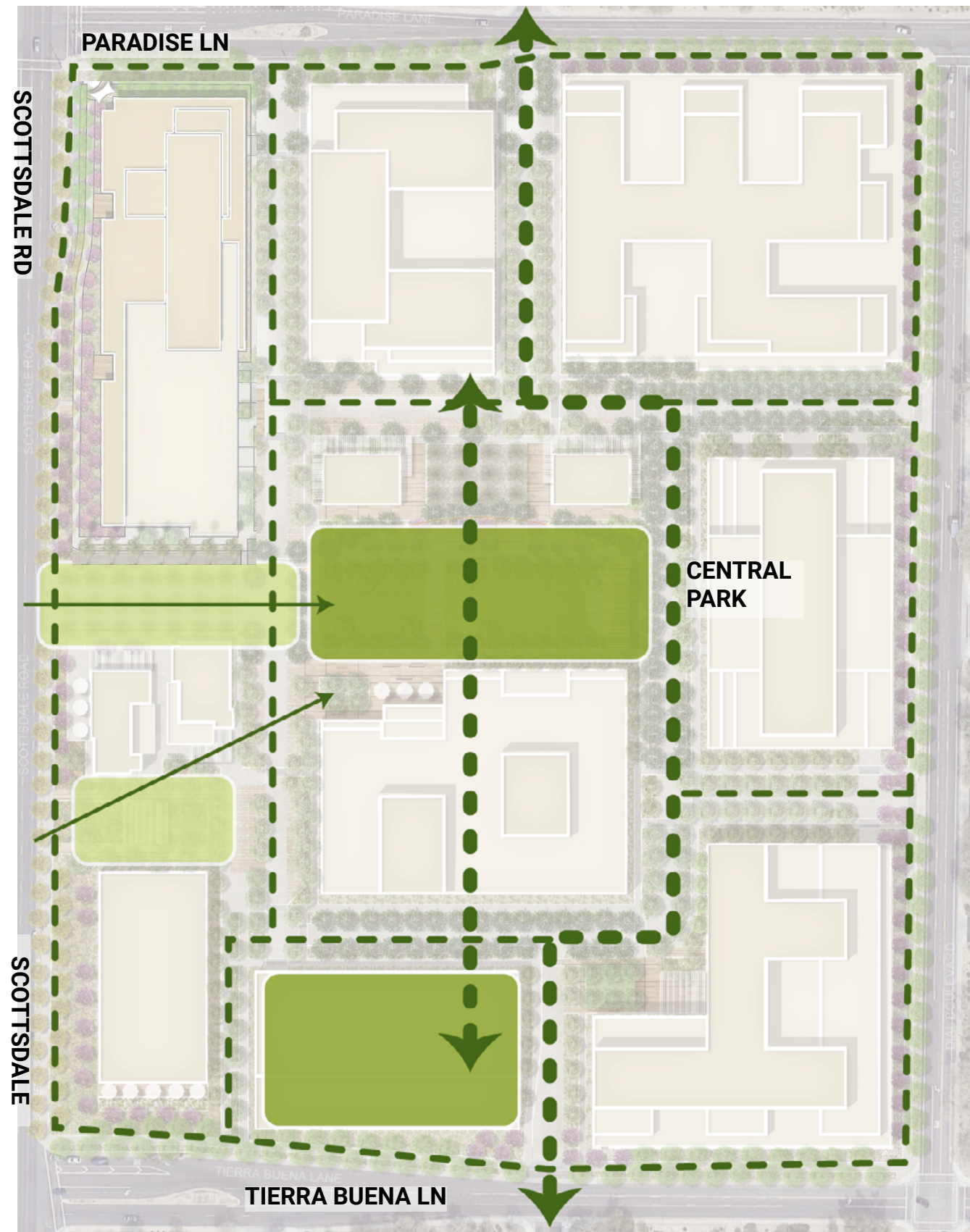
- Incorporate measurable looped trails into site circulation system.
- Create “Park-”ing garage with rooftop screen and hikable exterior stair.
- Provide open lawn space for organized sports, group yoga, and free play.

PRIORITIZE PEDESTRIANS

- Limit major vehicular traffic to the interior
- Create a distinct streetscape with pedestrian-scale lighting and seating options.
- Provide wider sidewalks in key locations for an optimized pedestrian experience.

CONNECTIONS OUTWARD

- Connect to nearby existing bike ways with way finding and route extensions.
- Provide a variety of bicycle storage and maintenance options and locations on site.




OPEN SPACE PROGRAM

Dedicated green space is located in the center block of the site, while interstitial spaces and key connections through buildings are used to extend the public open space.

Legend

- 
Central Green Space
 - Community-Focused
 - High Programming
 - Event Lawn
 - Play Area
 - Dog Park
 - Shade Pavilion
 - Sport Courts

- 
View Corridor
 - Public-Focused
 - Minimal Programming
 - Decorative Plantings
 - Seating
 - Public Art

- 
Pedestrian Corridor
 - Resident-Focused
 - Medium Programming
 - Streetscape Amenities
 - Storm water Plantings
 - Flexible Open Space



PLANT PALETTE

TREES

Perimeter streetscape trees

- ADWR plant list
- Provides connection to existing streetscape trees

Interior streetscape trees

- Provide shade for pedestrians
- Upright form
- Deciduous or semi evergreen to address seasonal temperature fluctuations
- Transition to lush green spaces

Park tree

- Large, leafy deep shade trees that will do well in a lawn condition
- Historical park feel

Entry Trees

- Grid of palms as a formal rhythmic procession to the interior project circulation

Refer to Planting Diagram, next page.

PLANT PALETTE

TREES



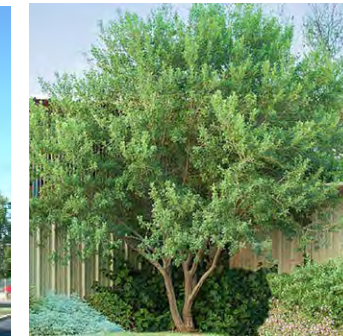
Cercidium praecox
Palo Brea



Chilopsis linearis
Desert Willow



Fraxinus velutina
Arizona Ash



Fraxinus greggii
Little Leaf Ash



Chitalpa tashkentensis
Chitalpa



Phoenix dactylifera
Date Palm



Pistacia chinensis Red Push
Red Push Chinese Pistache



Prosopis 'Leslie Roy'
Leslie Roy Mesquite



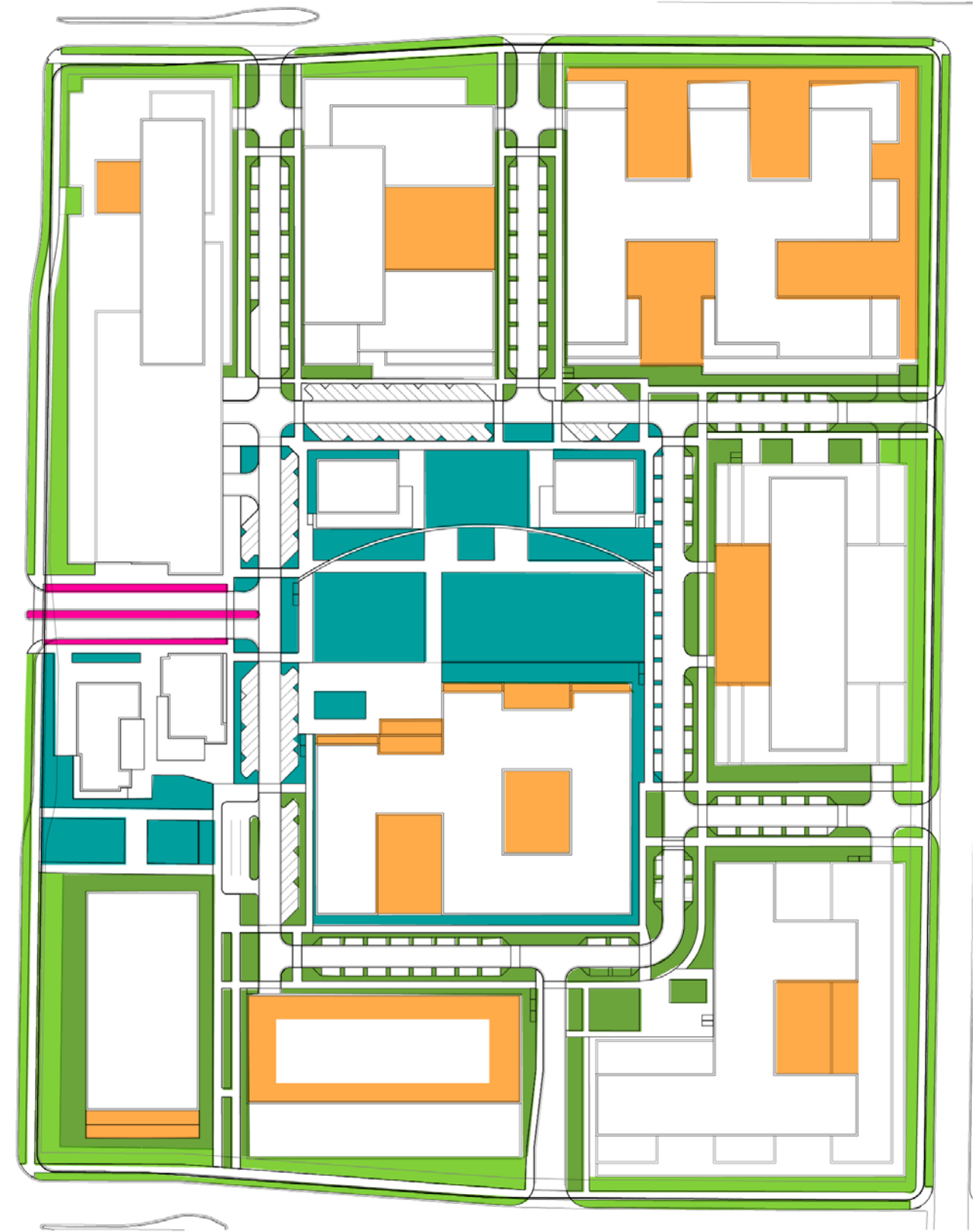
Quercus virginiana
Southern Live Oak



Sophora secundiflora
Texas Mountain Laurel



Ulmus Parvifolia
Chinese Elm



PLANT PALETTE

SHRUBS, ACCENTS, VINES AND GROUNDCOVERS



Aloe barbadensis (yellow)
Yellow Medicinal Aloe

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Asclepias subulata
Desert Milkweed

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Bouteloua gracilis
Blue Grama

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Dasylirion spp.
Desert Spoon

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Dietes bicolor
Fortnight Lily

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Euphorbia antisyphilitica
Candelilla

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



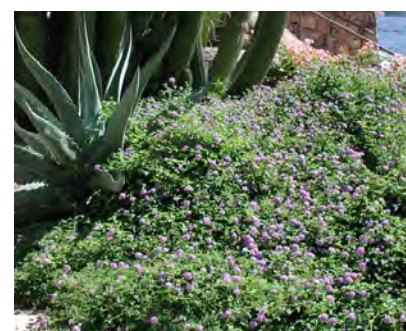
Hesperaloe parviflora 'perpa' TM
Brakelights Red Yucca

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Jasminum sambac
Arabian Jasmine

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Lantana montevidensis
Purple Trailing Lantana

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



L. frutescens 'compacta'
Compact Texas Ranger

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Justicia spicigera
Mexican Honeysuckle

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Muhlenbergia capillaris
Regal Mist

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Myrtus communis 'compacta'
Dwarf Myrtle

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Olea europaea 'Montra'
Little Ollie® Dwarf Olive

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure

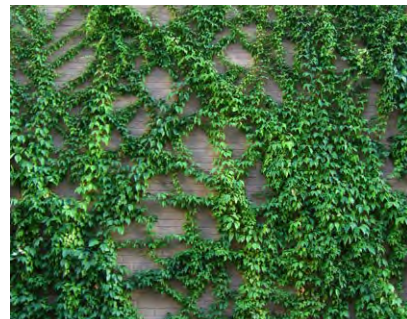
PLANT PALETTE

SHRUBS, ACCENTS, VINES AND GROUNDCOVERS



Opuntia engelmannii
Engleman's Prickly Pear

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Parthenocissus quequinifolia
Hacienda Creeper

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Ruellia brittoniana
Ruellia

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Russelia equisetiformis
Firecracker Plant

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Wedelia trilobata
Yellow Dot

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



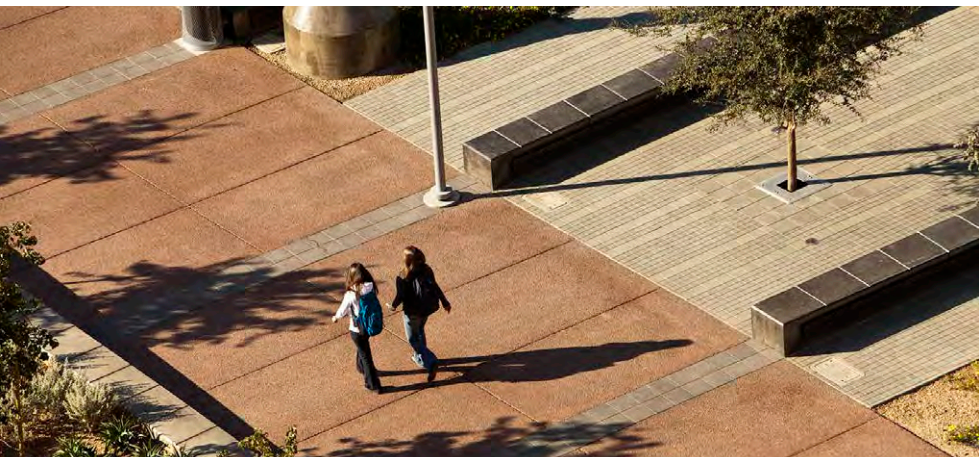
Yucca pallida
Pale Leaf Yucca

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



Yucca recurvifolia
Curved Leaf Yucca

- Perimeter Streetscape
- Interior Streetscape
- Park/Garden
- Palm Entry
- On Structure



HARDSCAPE MATERIALS

Rich and honest in materiality, the hard scape design creates layers of textures. Through celebration of craftsmanship, the natural beauty of the material stands on its own. Sustainability of selected materials, including proximity to site, recycled content and reuse of existing materials take priority.

Pavements:

Cast Concrete:

Location: Throughout Site and Streetscape. Description: In its natural color or with integral warm-toned pigments. Surface treatments include exposed natural aggregates at various intensities, from light etch to medium exposed aggregate to relate to our natural desert ground textures.

Permeable Concrete Pavers + Grass-pave:

Location: Used within the landscape zone of the streetscape section and throughout pedestrian plazas. Description: Provide textural contrast, water collection and surface cooling. This textural differences adds an additional layer of pedestrian safety. All materials to be ADA compliant

Stabilized Decomposed Granite:

Location: Along garden paths and fitness trails. Description: Provides a soft textured surface and a natural walking path off the main access route.

Recycled + Reused Materials:

Location: Along garden paths, small patios and drainage areas. Description: Reuse existing concrete materials on site to create permeable paving areas.

Walls:

Cast Concrete:

Location: Within Public Spaces. Description: Integral colored, cast-in-place concrete seat and retaining walls. Finishes vary from smooth form finish to rough board form finish.

Raw Steel:

Location: Streetscape Planters, Planter curbs. Description: Raw weathered steel.

Stone Walls:

Location: Central Park and Plaza Spaces. Description: Stacked Stone and Stone Veneer retaining and accent walls utilizing locally sourced stone materials.



SITE FURNISHINGS

SOFTSCAPE surface treatment :

Decomposed Granite:

- Streetscape Planting Areas
- Size: 1/4" minus (stabilized) 1/2" screened

River Rock:

- Within Raised Planters
- Size: 1 1/2" - 3"

Rip-Rap:

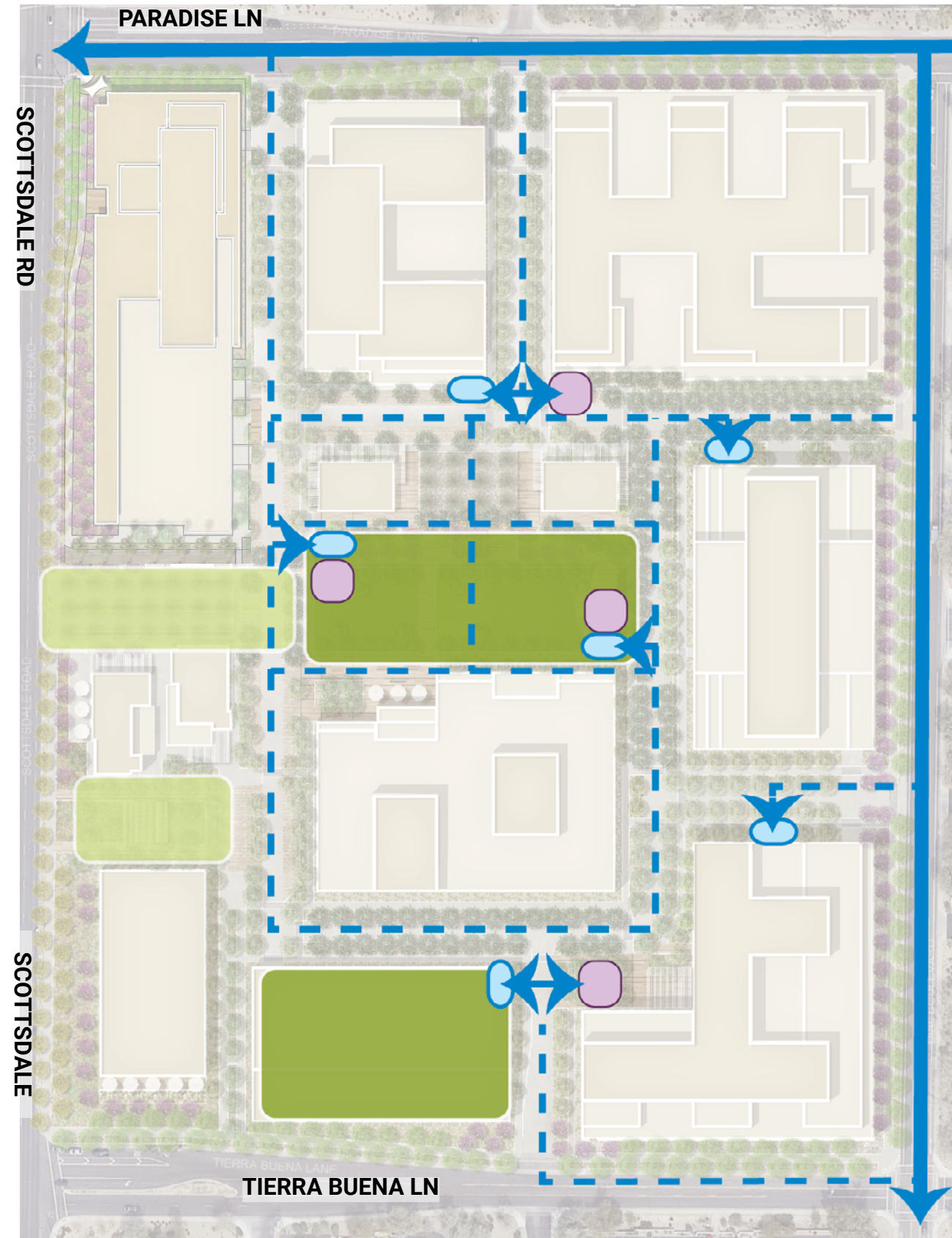
- Within Bioswales / Drainage Areas
- Size: Feathered 1"-6"

Seating :

- Furnishings shall maintain the modern materiality of the site with interactive compositions metal, wood, and cast concrete. Preference given to locally sourced and recycled materials.

Bike Racks :





- Bike racks will be placed strategically in areas accessible to bike routes. They will be grouped to maintain visibility and reduce site clutter. Designed to be utilitarian in form and finish and intended to maintain overall aesthetic of fluid flow.



BIKE CONNECTIVITY

Bicycle storage and maintenance facilities are provided at key entrances to the site in proximity to existing bicycle lanes.

Legend

-  Existing Bicycle Lane
-  Bicycle Station (Repair / Maintain)
-  Bicycle Storage
-  Bicycle Circulation on Site

Bicycle Station (Repair / Maintain)





SITE LIGHTING

Exterior lighting is designed to provide illumination for the safety and security of the general public, retail customers, visitors, and employees after dark. The site lighting design will achieve a comfortable, warm and attractive environment. The color temperature and color rendition of the light sources add to the high quality of the lighting environment at night.

The illumination level is designed in accordance with the recommended practice standards of the Illuminating Engineering Society of North America (IESNA), complies with Scottsdale Zoning and Development Code and Dark-Sky Ordinances

Environmental Goals:

- Avoid light trespass and glare for neighboring properties
- Comply with IES light trespass recommendations for LZ3 of less than 0.74 fc.
- Lighting controls minimize energy use.
- Prevent glare or high contrast by shielding light sources



RESOLUTION NO. 12937

A RESOLUTION OF THE CITY OF SCOTTSDALE, ARIZONA,
AUTHORIZING THE MAYOR TO EXECUTE DEVELOPMENT
AGREEMENT NO. 2023-144-COS FOR PROPERTY LOCATED AT
16001 N SCOTTSDALE ROAD.

WHEREAS, A.R.S. § 9-500.05 authorizes the City to enter into development agreements with persons having an interest in real property located in the City; and

WHEREAS, it is in the best interest of the City and owner to enter into Development Agreement No. 2023-144-COS for a development located at 16001 N. Scottsdale Road; and

WHEREAS, this Development Agreement No. 2023-144-COS is consistent with the portions of the City's general plan applicable to the property on the date this Agreement is executed.

NOW, THEREFORE, LET IT BE RESOLVED, by the Council of the City of Scottsdale, as follows:

Section 1. The Mayor is authorized and directed to execute Development Agreement No. 2023-144-COS after it has been executed by all other parties.

Section 2. That the City Clerk is hereby directed to record Development Agreement No. 2023-144-COS with the Maricopa County Recorder within ten (10) days of its execution by all parties.

Section 3. The City Council hereby authorizes the City Manager or his designee to execute any other documents and take such other actions as are necessary to carry out the intent of this Resolution and Contract No. 2023-144-COS.

PASSED AND ADOPTED by the Council of Scottsdale this ____ day of _____, 2023.

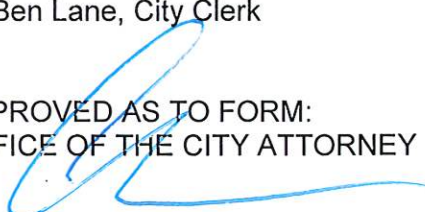
ATTEST:

CITY OF SCOTTSDALE, an Arizona
municipal corporation

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Sherry R. Scott, City Attorney
By: Eric C. Anderson, Senior City Attorney

WHEN RECORDED RETURN TO:

CITY OF SCOTTSDALE
ONE STOP SHOP RECORDS
(Bryan Cluff)
7447 East Indian School Road, Suite 100
Scottsdale, AZ 85251

THE PARQUE DEVELOPMENT AGREEMENT

C.O.S. Contract No. 2023-144-COS
(The Parque)
(Resolution No. 12937)

This Parque Development Agreement (the "**Agreement**") is entered into this ___ day of November, 2023, by, Crackerjax Land Company, LLC, a Delaware limited liability company, ("**Developer**") and the City of Scottsdale, Arizona, an Arizona municipal corporation ("**City**"). City and Developer may be referred to in this Agreement individually as a "Party," and collectively as the "**Parties**."

RECITALS

A. Developer owns or controls two parcels of real property located at 16001 North Scottsdale Road, between East Paradise Lane and East Tierra Buena Lane, in Scottsdale Arizona, and more particularly described and depicted, respectively, on the attached **Exhibit "A-1"** (the "**North CrackerJax Parcel**") and **Exhibit "A-2"** (the "**South CrackerJax Parcel**"). Each of Exhibit "A-1" and Exhibit "A-2" are incorporated in this Agreement by this reference. The North CrackerJax Parcel and the South CrackerJax Parcel may collectively be referred to as the "**Property**."

B. Developer intends to plat the Property (the "**Plat**") into approximately thirteen new parcels (each, a "**New Parcel**," and collectively, the "**New Parcels**"), such Project potentially being phased, on which Developer intends to develop a legacy destination that is centered on a large new central open space for Scottsdale residents and visitors (the "**Project**"). The number and geographic allocation of the New Parcels will be completed in final design as will be set forth, with City's approval, in the Plat, but currently are configured as described below (as the New Parcels may be revised pursuant to the Plat). The Plat may be conducted under a condominium regime or as otherwise provided under Arizona law and City Code.

C. The New Parcels as they may ultimately be reflected in the Plat are intended to provide the following uses and amenities (each an "**Element**"):

- 1) A luxury-hotel (with accessory uses) of approximately 223 +/- guest rooms and associated amenities (the "**Hotel**") and attached restaurant (the "**Hotel Restaurant**") located above retail shops (the "**Hotel Retail**") on the parcel as currently depicted on the attached **Exhibit "B"** ("**Hotel Parcel**").

- 2) Hotel-branded condominiums (with accessory uses) of approximately 126 +/- for-sale units and associated amenities (the “**Hotel Condos**”) on the parcel as currently depicted on the attached **Exhibit “B” (“Hotel Condo Parcel”)**.
- 3) Residential housing (with accessory uses) of approximately 373 +/- residences and associated amenities (the “**North Residential Facility**”), on the parcel as currently depicted on the attached **Exhibit “B” (“North Residential Parcel”)**.
- 4) A restaurant building (the “**Inner Perimeter Restaurant**”) abutting Scottsdale Road on the parcel as currently depicted on the attached **Exhibit “B” (“Inner Perimeter Restaurant Parcel”)**.
- 5) A restaurant building (the “**Outer Perimeter Restaurant**”) abutting Scottsdale Road on the parcel as currently depicted on the attached **Exhibit “B” (“Outer Perimeter Restaurant Parcel”)**.
- 6) A central open space and accessible common area showcasing sustainable mixed-use living (with accessory uses) (the “**Central Parque**”) on the parcel as currently depicted on the attached **Exhibit “B” (“Central Parque Parcel”)**.
- 7) A restaurant building (the “**West Parque Restaurant**”) abutting the Central Parque on the parcel as currently depicted on the attached **Exhibit “B” (“West Parque Restaurant Parcel”)**.
- 8) A restaurant building (the “**East Parque Restaurant**”) abutting the Central Parque on the parcel as currently depicted on the attached **Exhibit “B” (“East Parque Restaurant Parcel”)**.
- 9) Residential housing (with accessory uses) of approximately 312 +/- residences and associated amenities (the “**Central Residential Facility**”), on the parcel as currently depicted on the attached **Exhibit “B” (“Central Residential Parcel”)**.
- 10) Residential condominiums (with accessory uses) of approximately 115 +/- residences and associated amenities (the “**East Condos**”) on the parcel as currently depicted on the attached **Exhibit “B” (“East Condo Parcel”)**.
- 11) Residential housing (with accessory uses) of approximately 310 +/- residences and associated amenities (the “**South Residential Facility**”), on the parcel as currently depicted on the attached **Exhibit “B” (“South Residential Parcel”)**.
- 12) Class A Offices (with accessory uses) (the “**Offices**”) and retail shops on the parcel as currently depicted on the attached **Exhibit “B” (“Office Parcel”)**.
- 13) A space-efficient, technologically-based, structured parking facility with a “green/solar roof” and amenities that may include non-parking uses with approximately 1,116 +/- parking stalls that may have electric vehicle charging

capability (the “**EV Parking Stalls**”) and associated amenities (the “**Sustainable Parking Facility**”) on the parcel as currently depicted on the attached **Exhibit “B”** (“**Parking Parcel**”).

The North Residential Facility, the Central Residential Facility, the South Residential Facility, the Hotel, the Hotel Condos, the East Condos, and the Offices may collectively be referred to as the “**Major Elements**,” and each as a “**Major Element**.” The Inner Perimeter Restaurant, the Outer Perimeter Restaurant, East Parque Restaurant, and West Parque Restaurant, and the Hotel Restaurant may collectively be referred to as the “**Minor Elements**,” and each as a “**Minor Element**.”

D. To establish the regulatory structure for future development of the Property, the Developer has made a development application to the City with associated submittals of the Development Plans for a Zoning District Map Amendment, Case No. 13-ZN-2022, to establish the regulatory regime under which the Project and Property will be developed (the “**Zoning Map Amendment**”). As more fully described in this Agreement, and concurrently with the approval of this Agreement by the City’s City Council, Developer will have caused the Property to be rezoned from General Commercial (C-4) to Planned Airpark Core Development - Airpark Mixed Use Residential, Planned Shared Development (PCP-AMU-R PSD) (with the Zoning Map Amendment, the “**Regulatory Approvals**”). Pursuant to the Regulatory Approvals, the Project and Property shall be subject to Article VI, Section 6.1400 et. seq. of the City’s Zoning Ordinance (the “**PSD Ordinance**”).

E. The uses within the Project may include all those allowed by the Property’s zoning pursuant to the Regulatory Approvals and/or such other uses that may be permitted by future zoning ordinances applicable to the Property, which are, but are not limited to, hotel, residential, office, retail, accessory uses, amenities, entertainment, and other uses/facilities. However, Developer seeks to assure the integrity of the Central Residential Facility (+/- 312 units), North Residential Facility (+/- 373 units), and South Residential Facility (+/- 310 units) (each a “**Residence**” collectively, the “**Residences**”) and, accordingly, without request from the City, voluntarily will impose through its leases with each tenant who occupies any Residence the requirement that the tenant may not sublet any of the premises to third parties, as set forth in this Agreement.

F. Developer intends to develop the Project so that the Residences will support the integration of the community. Accordingly, as more fully set forth in this Agreement, the Project also will supply at least ten percent (10%) of such Residences as “**Workforce Housing**” intended further to diversify the population of residents in the area and provide much-needed support to qualifying households. To assure the supply of the “**Workforce Housing**,” the Property and Project will be subject to the terms and conditions of a restrictive covenant set forth on **Exhibit “C-1”** (the “**Restrictive Covenant**”) that shall obligate the Developer to supply a minimum of ten percent (10%) of the units for tenant households that qualify for “**Workforce Housing**” and the associated reduced rents under federal guidelines for the time period established in the Restrictive Covenant.

G. As more fully established in the Restrictive Covenant, Developer at its own expense will devote for the time period described in the Restrictive Covenant (the “**Workforce Housing**”

Rate Period”) housing units within the Project (the “**Workforce Units**”) for occupancy by tenants whose adjusted median income, as such income standards are established and adjusted from time to time pursuant to federal guidelines, qualify such tenants for “Workforce Housing” rental rates under such federal guidelines (the “**Qualified Tenants**”). During the Workforce Housing Rate Period, Qualified Tenants are to pay rent at rates set in accordance with the Workforce Housing rental rates formula set forth in **Exhibit “C-2”** (the “**Workforce Housing Rental Rates**”) and in effect on the Effective Date of this Agreement, as such Workforce Housing Rental Rates reasonably may be adjusted from time-to-time under the applicable federal guidelines.

H. Given the size and scope of the Project, Developer seeks to allow the Project to benefit from flexibility required by market conditions and, accordingly, the Parties acknowledge that the Project may be developed in phases (each a “**Phase**” and collectively, the “**Phases**”), as more fully described in this Agreement.

I. The Project is depicted in the development application to the City, with associated submittals of development plans entitled “The Parque” (collectively, the “**Development Plan**”). The Development Plan is on file with the Clerk of the City of Scottsdale, was adopted by Resolution No. 12936, incorporated into Ordinance No. 4612, and is incorporated into this Agreement by this reference.

J. Developer desires to utilize available bonus provisions under the Scottsdale Revised City Code (the “**Code**”), Appendix B – Basic Zoning Ordinance, Article VI – Supplemental Districts, Section 6.1310 (the “**Bonus Development Provisions**”) to allow a building height increase from 84 feet (the “**Base Height**”) to up to 119 feet for certain Parcels (including mechanical elements) as set forth in the Development Plan (the “**Bonus Height**”). In exchange for establishing the maximum building height to include the Bonus Height in the Development Plan under the Bonus Development Provisions, Developer is required to pay a bonus fee associated with such Bonus Height as set forth below (the “**Height Bonus**”).

K. The Regulatory Approvals establish the maximum units (“**Units**”) and the Floor Area Ratio (“**FAR**”) (Units and FAR collectively are referred to as “**Development Attributes**”) for the Property under the associated development standards. The Development Attributes are reflected in a budget for the Property and the Project (the “**Development Area Budget**”) set forth on the attached **Exhibit “D.”** The Development Area Budget sets forth the maximum Development Attributes for buildings and other development that may be constructed on the Parcels and, collectively, on the Property.

L. Developer further desires to utilize Bonus Development Provisions to increase the allowable FAR. The net area of the Property is 27.719 acres (1,207,435 square feet). The base FAR allowed is 0.8, or 965,948 square feet (the “**Base FAR**”). Developer desires bonus area equal to 1,120,149 square feet for a total FAR of 1.73 (“**FAR Bonus Area**”). In exchange for establishing the FAR in the Development Plan under the Bonus Development Provisions, Developer is required to pay a bonus fee associated with the FAR Bonus Area (the “**FAR Bonus**”) under the Bonus Development Provisions as set forth below. To allow the proposed development on the Property to comply with the provisions of the Code as allowed and contemplated by the Code’s “Planned Shared Development” provisions and state law, the City shall recognize a transfer

of density, FAR, and Open Space, by and among the Parcels that are contemplated by this Agreement.

M. The City and Developer have determined that they seek to implement and test a new concept for water capture and conservation. The Developer has caused its engineering team to develop within the Project's "Preliminary Water and Sewer Basis of Design Report," which is on file with the City's Water Resources Division, concepts to allow the stormwater generated on the Property to be stored and subsequently diverted over time into the City's sanitary sewer collection system if and as determined acceptable by the City (the "**Water Recapture & Reuse Plan**"). The Water Recapture & Reuse Plan includes the flexibility to allow the City to cause a portion or all of the Property's stormwater to be directed into the City's sanitary sewer collection system for reuse purposes or, at the City's election, require that such stormwater be captured and dissipated on the Property per the City's Stormwater Ordinance, as more fully set forth in this Agreement.

N. Developer and City acknowledge and agree that development of the Property will benefit the City's residents, its visitors, and the Property.

O. This Agreement is consistent with the portions of the City's General Plan applicable to the Property on the date of this Agreement.

P. Arizona Revised Statutes §9-500.05 authorizes the City to enter into a Development Agreement related to real property located inside the incorporated area of the City with a landowner or other person having an interest in the real property.

Q. The City's governing body has authorized execution of this Agreement by Resolution No. 12937.

In consideration of the foregoing Recitals, the promises in this Agreement, and other good and valuable considerations, the receipt and sufficiency of which the Parties acknowledge, the Parties agree as follows:

AGREEMENT

1. Recitals. The Parties acknowledge that Recitals set forth above are true and correct in all material respects and are incorporated into this Agreement by this reference.

2. Term of Agreement. The terms of this Agreement shall be as follows:

2.1 Commencement. The term of this Agreement shall be effective and commence upon, and only upon, the date this Agreement is approved by the City's City Council, signed by all Parties, all appeal and referendum periods with respect to this Agreement, if any, have expired and it has been recorded in the Office of the Maricopa County Recorder (the "**Effective Date**"). If the City does not record this Agreement once it is approved by the City's City Council, Developer may do so.

2.2 Term & Expiration. Except as otherwise expressly provided herein, the Agreement will continue in effect for 25 years or until all obligations and rights of the Parties under this Agreement have been performed, terminated by mutual agreement of the Parties, or have expired, whichever is earlier (the “**Term**”). If the Term expires, the Parties need not take any further act to demonstrate that this Agreement is of no further force and effect.

2.3 Early Termination. This Agreement may be terminated by either Party only to the extent a termination right may be provided expressly in this Agreement. Upon early termination of this Agreement by mutual agreement of City and Developer, the Parties shall execute, acknowledge, and record a notice (the “Termination Notice”) confirming that this Agreement has been terminated, except for those representations, warranties, indemnities, and other matters that this Agreement states shall survive the expiration or termination of this Agreement.

2.4 Effect of Termination or Expiration on Regulatory Approvals. Termination or expiration of the Term of this Agreement shall have no effect on the Regulatory Approvals, which shall continue to be enforceable according to their terms, except as amended under the City’s codes and ordinances or pursuant to this Agreement. Any Termination Notice with respect to this Agreement shall so state.

2.5 Referendum Termination. If the Regulatory Approvals are subject to a referendum that is certified to appear on a City election ballot, Developer may elect to terminate this Agreement by written notice to the City. Moreover, if the Regulatory Approvals are invalidated by a referendum, then this Agreement shall be void *ab initio*.

2.6 Extension. Except with respect to a minor date adjustment made pursuant to Section 3 of this Agreement, the Term of this Agreement may only be extended by formal recorded mutual written agreement of both Parties and approved by the City’s City Council.

3. Minor Date Adjustments. Dates stated in this Agreement may be extended only by mutual written formal consent of City and Developer, given, or withheld in their respective sole and absolute discretion. City's City Manager may exercise authority to consent for City to extensions of any date, but such authority is limited to extensions not exceeding an aggregate total of one year for the life of the agreement, each extension exercised in the City Manager's sole and absolute discretion, provided that the extension of a date shall concurrently and equally extend all other performance dates that are to occur after the date extended.

4. Property Interest of the Developer. The Developer represents and warrants that it is either the fee title owner or the fee title owners of each of the parcels comprising the Property have granted Developer with a property interest in each of such parcels of the Property, that Developer has been granted permission by such fee owners for purposes of this Agreement, the Development Plan and the Regulatory Approvals to subject the parcels comprising the Property to the Development Plan, the Regulatory Approvals and this Agreement, and that the parcels comprising the Property are located within the municipal limits of the City.

5. Actions by the Parties. To allow the Property to be developed and improved in accordance with the Development Plan, the Regulatory Approvals, and the terms of this Agreement, Developer and City agree to the following terms and to complete the following actions as required by the terms of this Agreement:

5.1 Phasing. Developer shall undertake the development of the Phases and the New Parcels as set forth in the Development Plan unless mutually agreed otherwise by Developer and City's Contract Administrator.

5.2 Bonus Development Provisions and Payment. The Parties agree that the Regulatory Approvals establish the maximum density associated with the Development Attributes of Dwelling Unit Capacity ("DUC") and FAR for the Property under the associated development standards. The Parties also agree that the Regulatory Approvals establish maximum height and FAR for each Parcel. Accordingly, pursuant to the Bonus Development Provisions, Developer has elected to utilize bonus provisions permitted by the City's Zoning Ordinance to obtain a maximum building height of up to one hundred nineteen (119) feet (including mechanical elements) for certain Parcels, as well as to obtain a total FAR of 1.73 for the Project, as approved in the Development Plan and Zoning District Map Amendment, Case No. 13-ZN-2022. In exchange for establishing the maximum building height and FAR in the Development Plan and pursuant to the Bonus Development Provisions of Scottsdale Revised Code, Appendix B, Article VI Supplemental Districts Sec. 6.1310 and Article VII General Provisions Sec. 7.1200, Developer shall pay the City the amount of the Height Bonus (as adjusted pursuant to the Bonus Development Provisions as incorporated into Section 5.3, below) of Four Hundred Ninety-Three Thousand, Seven Hundred Ten and 0/100s Dollars (\$493,710.00) and pay the City the amount of the FAR Bonus of Fifteen Million, Eight Hundred Thousand, Eight Hundred Eight and 0/100s Dollars (\$15,800,808.00). The payments of the Height Bonus and the FAR Bonus may be referred to collectively as the "**Bonus Payments.**" The amount of the outstanding Bonus Payments may be referred to as the "**Bonus Amount.**" Any Bonus Payments made to the City pursuant to this agreement shall be non-refundable.

5.3 Calculation and Adjustments of Bonus Payment. The amount of the Height Bonus and the FAR Bonus has been determined according to the formula required by the Bonus Development Provisions pursuant to Scottsdale Revised Code, Appendix B, Article VII General Provisions Sec. 7.1200. The final amount of each of the Height Bonus and the FAR Bonus will be calculated as of the last year in which the full amount of the Bonus Payments has been paid and shall be based on the maximum building height and FAR as approved in the Development Plan and Zoning District Map Amendment, Case 13-ZN-2022. The calculation of the final amount of the Bonus Payments as set forth in this Agreement has been estimated based on the assumption it would be paid on or before December 31, 2023. The actual amount of the Bonus Payments may increase pursuant to the formula required by the Bonus Development Provisions, and the last day a payment can be made without an increase in the unpaid amount as currently estimated is December 31, 2023. Thereafter, any unpaid amount of the Bonus Payments (as calculated under the Bonus Development Provisions) after December 31, 2023, shall be subject to increase by 3.5% on January 1, 2024, and annually thereafter until paid, according to the following formula:

$$A = P(1 + 0.035)^{CY-2023}$$

Where: A = Dollar amount to be paid
P= Unpaid amount of Bonus Amount
CY = Current year

5.4 Application of Bonus Payments.

5.4.1 General Application to Airpark Improvement Fund. Except as provided in Section 5.4.2, the Bonus Payments, as subject to adjustment, shall be paid to the City's Greater Airpark Special Improvement Trust Fund unless otherwise directed by the City.

5.4.2 Powerline Undergrounding. In connection with undertaking the development of the Property and the Project, City may elect in writing provided to Developer to require Developer to cause certain 69KV powerlines to be undergrounded (the "**Powerline Undergrounding**") prior to Developer undertaking Commencement of Construction (defined below). If City makes the election to cause the Powerline Undergrounding, City acknowledges that, in connection with such Powerline Undergrounding, City has determined that the public benefit achieved shall be deemed a special public improvement pursuant to Scottsdale Revised Code, Appendix B, Article VII General Provisions Sec. 7.1200, and so the City shall provide Developer with credits against the amount of the Bonus Payments equal to the actual costs Developer incurs in conducting the Powerline Undergrounding (the "**Bonus Payment Credits**"). The amount of Bonus Payment Credits applied to the Project for such Powerline Undergrounding shall be determined in accordance with the procedures outlined in Zoning Ordinance Section 7.1200. as determined by the Zoning Administrator. If Developer elects without requirement by the City to undertake undergrounding of any such powerlines, which it may do in its sole and absolute discretion, then Developer shall be responsible for the costs of such undergrounding.

5.5 Timing of Bonus Payments. Prior to and in connection with the City's issuing Developer a building permit for vertical construction of an Element, except to the extent of any Bonus Payment Credits then held by Developer, which may be applied toward payment of any Bonus Payments, Developer shall pay the amount of the Bonus Payments to be made in connection with the issuance of such building permit equal to the amount of the Height Bonus or FAR Bonus or both that is required of the associated Element in accordance with the pro rata amount that such Element exceeds the Base Height and Base FAR as set forth in **Exhibit "D."**

5.6 Additional Fee for Delayed Bonus Amount Payment. If and to the extent Developer has not paid Bonus Payments with respect to any of its Elements (or become entitled to apply Bonus Payment Credits to such required Bonus Payments) within thirty-six (36) months following the Effective Date, then Developer shall pay an additional ten percent (10%) of the amount of any Bonus Payment otherwise due thereafter with respect to permitting of vertical construction of Elements that require the application of Bonus Height or Bonus FAR (the "Infrastructure Support Fees"), and such additional Infrastructure Support Fees shall be paid concurrent with any required payment of the associated Bonus Payment.

5.7 Effect of Failure to Make Bonus Payments. All required Bonus Payments shall be made by Developer no later than ten years after the Effective Date of this Agreement. Subject to the right to cure as set forth in Section 11.24 following written notice to Developer, if Developer fails to pay any Bonus Amounts as set forth in this Section 5, the Bonus Height and/or Bonus FAR shall be terminated as to any portion of the Project for which the required payments of the Bonus Amount have not yet been paid for as of the time of the failure. Notwithstanding the foregoing, Developer shall be entitled to retain any Bonus Height and/or Bonus FAR for which Bonus Amounts previously paid prior to such failure. Once any such Bonus Height or Bonus FAR are terminated as provided above, no such additional Bonus Height or Bonus FAR may be provided to Developer for the Project unless approved by City Council.

5.8 Development Area Budget. As of the date of this Agreement, the Development Area Budget establishes (a) the Property's and each New Parcel's maximum Development Attributes, which are specified in the Development Area Budget, (b) the current allocation of the Development Attributes from the Development Area Budget for existing and proposed development as allocated to each New Parcel, if any, and (c) the unallocated Development Attributes remaining in the Development Area Budget. This initial allocation has been memorialized by this Agreement as set forth on **Exhibit "D."** **Exhibit "D"** shall be considered a memorialization of any height, density, FAR, and Open Space transfers between Parcels as required by the Regulatory Approvals. For any change to the initial allocation of Development Attributes from and after the approval of the Rezoning, such allocation shall be memorialized as set forth in the following Section. As set forth in the Development Area Budget, Developer has specified the amount of the Development Attributes currently allocated to each New Parcel, as well as the unallocated Development Attributes not yet allocated to any New Parcel. The Property's total Development Area Budget shall not exceed the maximum Development Attributes specified in the Development Plan approved in the Rezoning and the Development Area Budget attached hereto as **Exhibit "D."**

5.9 Allocation of Development Attributes. When and as Developer elects to develop, by Developer's submitting for City development review, a New Parcel (or portion thereof), Developer shall allocate the Development Attributes as specified in this Section. When and as Developer elects to develop a New Parcel (or portion thereof), Developer shall specify the amount of Development Attributes to be allocated to the applicable New Parcel to be developed (an "**Allocation of Development Attributes**"), as well as the development standards that are to apply pursuant to the PSD Ordinance. In no instance may the Development Attributes allocated to any New Parcel at any time exceed the maximum Development Attributes that may be allocated to such New Parcel under the Regulatory Approvals and Development Area Budget as set forth on **Exhibit "D,"** nor may the Development Attributes allocated to the Property as a whole exceed the maximum Development Attributes allocable under the Regulatory Approvals and the Development Area Budget as set forth on **Exhibit "D."** When an Allocation of Development Attributes is undertaken with respect to a New Parcel, a Development Attributes Allocation Status Form (defined below) shall be prepared, provided to the City, and recorded as set forth in Section 5.12 of this Agreement.

5.10 Sale of Parcels. With the exception of any security interest provided to a lender, Developer shall not sell, transfer, or otherwise convey any Parcel to a third-party without first having provided to City a Development Attributes Allocation Status Form clearly indicating

the specific Development Attributes and Bonus obligations allocated to such Parcel that is the subject of the sale, transfer, or conveyance.

5.11 Public Hearing Process. If Developer undertakes any material change to the Development Plan that requires a public hearing pursuant to 9-462.04A of the Arizona Revised Statutes, which may include any such material change in the Development Plan, Developer acknowledges that such action shall be subject to an application signed by all owners and lienholders of New Parcels, and is subject to the notice and hearing requirements of Section 9-462.04 of the Arizona Revised Statutes.

5.12 Memorializing Development Attribute Application to Parcels. The Development Plan approved in Case No. 13-ZN-2022 establishes the total Development Area Budget and determines the development standards applicable under the PSD Ordinance for all New Parcels that make up the New Parcels. Upon each of (1) the expiration of thirty (30) days from the approval of Case No. 13-ZN-2022, (2) final resolution of any referendum filed against 13-ZN-2022, if any, and (3) any Allocation of Development Attributes, all property owners, all lienholders (including all beneficiaries under a deed of trust or other recorded security instrument), and all interested persons holding an interest in the portions of the New Parcels affected by each such circumstances set forth above, shall sign the Allocation of Development Attributes form attached as **Exhibit “E”** (the “**Development Attributes Allocation Status Form**”) and submit it to the City for recordation in the Maricopa County Recorders’ Office. No building permits, or other City approvals for the affected New Parcels will be approved until the applicable Development Attributes Allocation Status Form is recorded as provided in this Section. If an error is made on the Development Attributes Allocation Status Form, upon notice by Developer or the City to the other, the City and Developer shall cause a revised Development Attributes Allocation Status Form reflecting the correct allocated Development Attributes associated with each New Parcel and the remaining unallocated Development Attributes contained in the Development Area Budget to be prepared by Developer, provided to the City, and to be recorded as set forth in this Section. Any execution of any Development Attributes Allocation Status Form by any lienholder or beneficiary under a deed of trust or other security instrument shall not, in and of itself, affect or vitiate any separate agreement between Developer and such lienholder or beneficiary with respect to any related matters (including without limitation any separate approval or consent rights with respect to any alterations to the subject property relating hereto).

5.13 City & Developer Parking Commitments. To satisfy the Sustainable Parking Facility proposed to be constructed for the Project as set forth in the Development Plan and the Regulatory Approvals, the Developer shall cause the construction of **EV Parking Stalls** for the Project within the Sustainable Parking Facility. The number and location of the EV Parking Stalls shall be determined as and when the Development Attributes and other features of the New Parcels are established in connection with the final design and implementation of the Project, pursuant to the Zoning Code in force as of the date of the approval of the Development Plan, and consistent with the requirements of Case No. 13-ZN-2022.

5.13.1 Green Roofed Sustainable Parking Facility. The Developer intends to install the EV Parking Stalls in the Sustainable Parking Facility. To accommodate the allocation of the EV Parking Stalls and the associated rights among all of the New Parcels as required by the

Development Plan, Developer shall, and shall be entitled to, establish such allocation of the Sustainable Parking Facility, between the New Parcels (without requiring any further subdivisions of the New Parcels) to provide market-supported allocation of the property interests and the associated EV Parking Stalls, through and including, but not limited to, the use of a commercial condominium regime as provided under Arizona law.

5.13.2 Adjustment to Parking. The Parties acknowledge that the final development of the Project will be subject to revisions during the preparation of the construction plans and drawings and the associated construction documents. That process shall be managed between the Developer and the City following the processes and procedures established in the City's Code, as governed by Arizona law, including A.R.S. Section 9-462.04(A)(4). Accordingly, the City's City Manager retains the authority under the City's Code and Arizona law to address revisions to the Development Plan and, specifically, the Sustainable Parking Facility. However, the Developer shall be solely responsible for constructing the Sustainable Parking Facility as set forth in the Development Plan and as stipulated on Case No. 13-ZN-2022, except as the terms may be revised or amended pursuant to this Agreement, Arizona law, and the City's codes and ordinances.

5.14 Central Parque. Pursuant to the Development Plan, in connection with the construction of the Project, Developer will create the Central Parque on the Central Parque Parcel, which, subject to appropriate rules and regulations, will be open space and accessible common area for the enjoyment of the Scottsdale community, including, but not limited to, , the Project's visitors, residents, tenants, customers, and employees. The Parties agree that the City may participate and provide input into the design of the Parque Elements through the City's development review process. Once the Project is completed, Developer will cause to be maintained, and to allocate the cost for such maintenance among the Parcels, the Central Parque as a whole, through and including, but not limited to, the use of a commercial condominium regime as provided under Arizona law or subdivision tract, which will be recorded with the Maricopa County Recorder's Office (the "**Project CC&Rs**"). The Project CC&Rs may take the form of a commercial condominium regime as provided under Arizona law or subdivision tract, including the establishment of an appropriate association, but shall be subordinate and subject to the terms of the ECRs (defined below), if and to the extent the terms thereof are contained in a separate document. The Project CC&Rs shall provide the following regarding the Central Parque (among other things): (a) the maintenance standard for the Central Parque, and the methodology of allocating costs for such maintenance among the Parcels, (b) the extent and limits of the public's use of the Central Parque, (c) Developer's or any association's right to construct, enhance and improve the Central Parque, (d) the process for establishing and enforcing rules and regulations applicable to the Central Parque, and (e) that the association shall comply with all laws, statutes, acts, ordinances, rules, regulations, codes, and standards of legally constituted authorities with jurisdiction, applicable to the Central Parque, including any applicable zoning requirements, and applicable laws regarding non-discrimination upon the basis of race, color, creed, religion, ancestry, national origin, sex, gender, disability, age, marital status or status with regard to public assistance and the conduct of its activities pursuant to this Agreement. The Central Parque Parcel is generally depicted on **Exhibit "B."** Further, on their recording, the Project CC&Rs shall contain an updated legal description of the Central Parque Parcel.

5.15 Acknowledgment of Proposition 207 Waivers. The Developer has submitted to the City a waiver of any and all rights under the Private Property Rights Protection Act, A.R.S. Section 12-1131 et. seq., commonly known as Proposition 207, acknowledging that none of the Developer nor any successor or assign of the Property shall have any claim with respect to the diminution of value to the Property. The Developer and any successors or assigns also waive any future claims that may arise out of a future change to the City's General Plan or amendments to the text of Scottsdale Revised Code, Appendix B, Basic Zoning Ordinance, provided the approved and entitled zoning adopted by Ordinance No. 4612 remains in effect with respect to the Property and the zoning entitlements are not otherwise negatively impacted.

5.16 Agreement to Conduct Rezoning if Project Not Commenced. Notwithstanding the Term of this Agreement, Developer agrees that if Developer does not commence construction (as more fully defined below, "**Commencement of Construction**") of the Central Parque, one Major Element, and one Minor Element within seven (7) years from the Effective Date ("**Commencement of Construction Deadline**"), then Developer agrees that it shall apply to cause all portions of the Property not then under construction to be rezoned to C-4 (or its equivalent then in existence) (the "**Rezoning**"). Further, if Developer does not achieve such Commencement of Construction and then does not make such application for such Rezoning within six (6) months of the Commencement of Construction Deadline (the "**Rezoning Application Deadline**"), then the City may undertake the Rezoning on behalf of the Developer. Developer and City acknowledge that, regardless of whether the Developer or the City undertakes the Rezoning as required in this Section 5.16, the Party undertaking the Rezoning shall comply with all requirements of Arizona law to affect the completion of the Rezoning as set forth in A.R.S. Title 9, Article 6.1, Sections 9-462 et. seq. The Developer has submitted to the City a waiver of any and all rights under the Private Property Rights Protection Act, A.R.S. Section 12-1131 et. seq., commonly known as Proposition 207, acknowledging that none of the Developer nor any successor or assign of the Property shall have any claim with respect to the diminution of value to the Property by agreeing to this Section 5.16 of this Agreement. Within ninety (90) days of the completion of the Rezoning, the City shall refund in full any amount of the Bonus Payments made by Developer to City.

5.16.1 Power of Attorney. To allow the City to undertake, conduct and complete the Rezoning on Developer's behalf, Developer hereby agrees to establish the City as the holder of a power of attorney in fact, to be issued to the City by Developer (or any successor or assign with respect to any New Parcel) in the form of **Exhibit "F"** (the "**Power of Attorney**"). The Power of Attorney automatically shall be deemed to become effective on the Rezoning Application Deadline unless Developer has undertaken any required Commencement of Construction by the Commencement of Construction Deadline or, in the absence thereof, made application for the Rezoning with the City by the Rezoning Application Deadline. Developer shall deposit the executed form of the Power of Attorney with the City on or before the Commencement of Construction Deadline.

5.16.2 Termination of Power of Attorney on Commencement. If the Central Parque and any one Major Element and one Minor Element have achieved Commencement of Construction by the Commencement of Construction Deadline, then, on the date that such Commencement of Construction has been achieved, the City's right to use the Power of Attorney

automatically shall be deemed to have expired (the “**POA Expiration**”), and the City, immediately thereafter, shall return the original POA to Developer (or the successor or assign that supplied such POA). To demonstrate that the POA Expiration has occurred, the City and Developer shall record a notice that shall so state in the records of the Maricopa County Recorder (the “**POA Termination Notice**”).

5.16.3 Definitions. For purposes of this Agreement, “**Commencement of Construction**” shall mean Developer has commenced actual physical construction of significant portions of at least one building of the Project such as there is completion of any and all underground utility installations required to serve the property followed by construction of foundations and other necessary above ground vertical elements sufficient to support all above grade floors of the permitted structure.

5.17 Planned Shared Development Common Areas. Pursuant to the PSD Ordinance, Developer shall establish a property management association (“**Association**”) to maintain all common areas, shared facilities, or community-owned property shown on the Development Plan for the Property (collectively, “**Common Areas**”). Developer shall obligate such Association to record a Master Declaration of Easements, Covenants, Conditions and Restrictions (“**ECRs**”) with the Maricopa County Recorder’s Office identifying how such Common Areas will be maintained. If Developer elects to impose Project CC&Rs on the Property, Developer may incorporate the terms required by the PSD Ordinance to be contained in the ECRs with those comprising the Project CC&Rs, including that the Association may be in the form of the association created under the Project CC&Rs. Accordingly, the ECRs may take the form of or otherwise be included within a commercial condominium regime as provided under Arizona law, or a platted subdivision property owner’s association. A copy of the ECRs, whether created independently or as incorporated in any Project CC&Rs, will have been delivered to the City prior to the issuance of any permits with respect to the Property.

5.17.1 Declaration of Easements, Covenants, Conditions & Restrictions. The ECRs shall address the following to the City's satisfaction:

5.17.1.1 Responsibility for Common Areas. Developer understands that (a) it may create certain common area improvements on the Property that are Common Areas, and (b) each Owner must pay assessments for complying with all City requirements and for maintaining and repairing the Common Areas, as reasonably determined necessary by the City.

5.17.1.2 Ownership of Common Areas. All Common Areas, if any, shall be identified in the ECRs and project plats. If some of the Common Areas are to be shared by the owners of some or all of the New Parcels, then the ECRs, Project CC&Rs and project plats shall identify which owner (or the Association) is responsible for which Common Areas.

5.17.1.3 Assessments. The Property Manager shall have authority to assess and collect fees for complying with City requirements and for maintaining and repairing the Common Areas.

5.17.2 Duration; Amendments. The ECRs shall remain in existence as long as the Property is developed with a PSD Ordinance overlay. Except with the City's prior written consent, the ECRs may not be amended to alter the provisions that require the Owners to share responsibility for maintaining and repairing the Common Areas.

5.17.3 PSD Indemnity. In addition to all other obligations hereunder, Developer (and all persons claiming through Developer or claiming rights under this Agreement), and existing and future owners of parcels within the Property's boundaries shall indemnify and hold harmless the City, its employees, agents and officials from any and all claims, demands, suits, judgments, assessments, proceedings, or liabilities of any kind, including reasonable attorney's fees and costs, that may arise from any person(s)/entity(ies) owning any part of the Property and that are related to the development or division of the Property, or the Property's being subject to the application of the PSD Ordinance. Further, the Property Manager shall indemnify and hold harmless the City, its employees, agents and officials harmless from any and all claims, demands, suits, judgments, assessments, proceedings, or liabilities of any kind, including reasonable attorney's fees and costs, that may that may be asserted against the City, that arise from any person(s)/entity(ies) owning any part of the Property and that are related to the development or the division of the Property.

5.17.4 Appointment of Property Manager. Developer and its assigns shall appoint one or more individuals or entities to be a "**Property Manager**" with respect to the Property or any portion thereof (each a "**Property Manager**"). Developer and its assigns may appoint the Association or an owner of the Property or any portion thereof as such Property Manager. Upon any person or entity being appointed a Property Manager with respect to the Property or any portion thereof, Developer or its assigns shall give the City notice of such appointment and the name and contact address and other information required for notice in this Agreement. Until notice is provided to the City by Developer otherwise, Stockdale Management, LLC shall be the Property Manager for all purposes under this Agreement.

5.17.5 Responsibility of Property Manager. The Property Manager shall be responsible for complying with all City requirements in a timely and professional manner and maintaining and repairing the Common Areas in accordance with the City requirements.

5.17.6 Assurance of a Property Manager. Developer, its assigns, and all present and future property owners shall assure that the Property shall always have an appointed Property Manager, and that this Property Manager shall agree to indemnify the City as required by Section 5.17.3 of this Agreement and Section 6.1406 of the Zoning Ordinance of the City of Scottsdale. If the Property has no designated Property Manager, and such failure continues uncured for fifteen days after written notice thereof from the City to the owners, the City shall deem all property owners to be in default under this Agreement. Developer and its successors and assigns shall have the right to replace the Property Manager with notice to the City pursuant to Section 11.2 of this Agreement.

5.18 Developer's Mitigation of Construction Impacts. During the installation and construction of each Project Phase and throughout the duration of any such construction, Developer shall mitigate the construction impacts to the immediately adjacent properties at

Developer's expense. Developer shall take all steps reasonably necessary, to (i) keep, or cause to be kept, the Property in neat, orderly and clean condition, free of debris, (ii) employ effective dust control procedures including enhanced street and lot sweeping, and, (iii) protect all property and improvements on the immediately adjacent properties from damage caused by the Developer or its agents, employees, contractors or subcontractors, and immediately repair or replace any such property, once damaged, to its preexisting conditions.

5.19 Restrictive Covenants. At such time as Developer seeks to commence to develop of any portion of the Residences that will be subject to ownership and leasing by Developer or its successors in interest, Developer shall deliver a notice to the City specifying the date on which Developer intends to begin developing the Residences and the number of units of Residences to be developed (the "**Development Notice**"). Developer acknowledges that, subject to the provisions of this subsection, if Developer elects to develop a portion of the Residences, Developer shall be responsible to supply the Workforce Units with respect to such portion of the Residences as set forth in this Agreement and the Restrictive Covenant. To secure the City's interest in the Developer supplying the Workforce Units at the Workforce Housing Rental Rates with respect to such portion of the Residences being developed (as set forth in the Development Notice), Developer shall execute and provide to the City for recording against the Parcel on which such Residences are to be developed the Restrictive Covenant in form and substance of **Exhibit "C-1"** (the "**Restrictive Covenant**"). If Developer does not deliver the Development Notice prior to Commencement of Construction of such portion of the Residences, then notwithstanding the absence of the Development Notice, Developer shall record the Restrictive Covenant no later than the Commencement of Construction against the Parcel on which such portion of the Residences are being developed. As a further restrictive covenant, Developer voluntarily will impose through its leases with each tenant who occupies any of the Residences the limitation that the tenant may not sublet any of the premises to third parties.

5.20 Water Conservation Plan. The Project will be subject to a Final Water and Sewer Basis of Design Report that will include a Water Recapture & Reuse Plan. Within the Water Recapture & Reuse Plan, the Project will include surface and below-grade infrastructure that will allow all stormwater generated on the Property (the "**Stormwater**") to be captured and discharged on the Property and also, separately, allow all or a portion thereof, as determined acceptable at any time by the City's Water Resources division, of the Stormwater to be directed into the City's sanitary sewer collection system. The City has determined that such flexibility will allow the City to capture the Stormwater and use it within its sanitary sewer collection system, as it is able to do so and in compliance with its permits, to, among other results, flush the system and achieve other water reuse opportunities. The City will also be able to cause such Stormwater to be captured and discharged, separately, on the Property, as otherwise required by the City's City Code, in the event the City's sanitary sewer collection system is unable to or cannot benefit from the use of such stormwater, as the City may determine in its sole and absolute discretion. The Project shall be designed to meet all applicable City flood plain and stormwater regulations in accordance with then current City standards. In addition the Developer shall include a design for a Stormwater diversion system, separate and in addition to the Project required Stormwater discharge system, that will capture approximately one million gallons of Stormwater from the Project, which is then capable of being measurably pumped into the sanitary sewer system in a coordinated fashion to avoid excess impact upon the sanitary sewer system as determined acceptable by the City's Water

Resources division. To carry out this Stormwater diversion system, Developer shall provide a Water Recapture and Reuse Plan to be approved by the City's Water Resources Division that shall address at a minimum its: 1) operational details; 2) required maintenance; 3) water quality monitoring equipment and standard operating procedures; 4) diversion plans, limiting discharges into sanitary sewer system; and 5) abandonment plans, if the Water Resources Division determine the system must be removed. The Stormwater diversion infrastructure shall be constructed and completed with the first phase of Project construction.

6. Developer's Maintenance of the Property. Developer shall at all times maintain the Property at its sole expense in a sound, clean, and safe manner prior to the start of construction. Developer shall not place a fence around any New Parcel without first having obtained a permit from the City to begin construction of any portion of the Project.

7. Compliance with all Laws. Developer shall develop the Property in compliance with all federal, state, county and local laws, ordinances, rules, regulations, permit requirements, or any other published policies of the City.

8. Construction. All construction, if any, of the Project shall be performed in compliance with the Development Plan, Regulatory Approvals, and the provisions of this Agreement.

9. Regulatory Approvals. Developer and City agree the Regulatory Approvals are incorporated into this Agreement as if they were set out in detail herein. In the event of future consensual amendment to the Regulatory Approvals, the City concurrently shall process an amendment to this Agreement, as may be required by the amendment to the Regulatory Approvals.

10. Agreement Status & Assignment. Except as otherwise specifically provided herein, the rights established under this Agreement and the Development Plan are not personal rights but attach to and run with the Property and all the provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of the Parties hereto pursuant to A.R.S. § 9-500.05(D). This Agreement may be assigned or transferred by the Developer, in its sole and absolute discretion, (or any of the entities comprising "Developer" with respect to such entity's interest herein), in whole or in part, by written instrument, to any subsequent owner of all or any portion of the Property. Provided, however, the obligation to provide the Workforce Housing Units as set forth in the Restrictive Covenant must remain an obligation of the owner of the Property and the Workforce Housing must be provided through residential units constructed on the Property. Notice of any transfer or assignment in accordance with this Section shall be provided by Developer or the transferor entity (or its successor or assign) to the City.

11. General Provisions.

11.1 Recording & Return of Recorded Documents. The City shall be responsible for recording this Agreement once executed by the Parties and approved by the City's City Council. Recorded documents shall be returned to the person designated by the forms attached to this Agreement or as executed by the Parties (the "**Return Person**"). If no designation is made for any document, City's City Attorney is the Return Person. This Agreement, and any amendment

or cancellation of this Agreement, shall be recorded, in its entirety, in the official records the county recorder's office in Maricopa County, Arizona, no later than ten (10) days after the Effective Date of this Agreement, amendment, or cancellation, as required by A.R.S. § 9-500.05. If the City fails or refuses to record this Agreement, Developer may cause this Agreement to be recorded.

11.2 Notices. All notices, filings, consents, approvals, and other communications provided for herein or given in connection herewith (each a "Notice") shall be validly given, filed, made, delivered, or served if in writing and delivered personally or sent by registered or certified United States Postal Service mail, return receipt requested, postage prepaid to:

If to the City: City of Scottsdale
Attention: Zoning Administrator
Planning and Development Services Department
7447 E. Indian School Rd., Suite 105
Scottsdale, AZ 85251

Copy to: The City of Scottsdale
Attention: City Attorney
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

If to Developer: Stockdale Capital Partners, LLC
Attn: Barry Bartle
4343 North Scottsdale Road, Suite C-150
Scottsdale, AZ 85251

And to: Crackerjax Land Company, LLC
2810 North Church Street, Suite 77051
Wilmington, DE 19802-4447
Attn: David Megdal

Copy to: Berry Riddell, LLC
Attn: John Berry
6750 E Camelback Rd, Suite 100
Scottsdale, AZ 85251

Service of any Notice by mail in accordance with the foregoing shall be deemed to be complete five (5) days (excluding Saturday, Sunday, and legal holidays) after the Notice is deposited in the United States mail. Service of any Notice by overnight courier in accordance with the foregoing shall be deemed to be complete upon receipt or refusal to receive. By Notice from time to time in accordance herewith, either Party may designate any other street or e-mail address or addresses as its address or addresses for receiving Notice hereunder using a Change of Address Form in the form of **Exhibit "G."** Any designation by a Party of a new address for a Notice shall not be

binding or effective unless the Address Change Form is supplied to the other Party and is recorded with the County Recorder of Maricopa County, Arizona.

11.3 Approvals. When a Party's consent is required pursuant to this Agreement, the consenting Party shall not unreasonably withhold, delay, or condition its approval.

11.4 Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof and no waiver by a Party of the breach of any provision of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or of any other provision of this Agreement.

11.5 Headings. The descriptive headings of the Sections of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Agreement.

11.6 Authority. Each Party to this Agreement represents to the other that it has full power and authority to enter into this Agreement, and that all necessary actions have been taken to give full force and effect to this Agreement.

11.7 Severability. If any term, condition, covenant, stipulation, agreement, or provision herein contained is held to be invalid or unenforceable for any reason, the invalidity of any such term, condition, covenant, stipulation, agreement, or provision shall in no way affect any other term, condition, covenant, stipulation, agreement, or provision herein contained.

11.8 Governing Law, Venue & Jurisdiction. The laws of the State of Arizona shall govern the interpretation and enforcement of this Agreement. The Parties agree that venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Maricopa County, Arizona, and the Parties hereby waive any right to object to such venue.

11.9 Remedies. If any Party to this Agreement breaches any provision of the Agreement, the non-defaulting Party shall be entitled to all remedies available at both law and in equity, including specific performance.

11.10 Attorneys' Fees and Costs. If any Party brings a legal action either because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing Party will be entitled to reasonable attorneys' fees and court costs.

11.11 Binding Effect. The benefits and burdens of this Agreement shall run with the Property and be binding upon and shall inure to the benefit of the Parties hereto and their respective heirs, legal representatives, successors in interest, and assigns. This Agreement shall be incorporated by reference in any instrument purporting to convey an interest in the Property.

11.12 No Agency Created. Nothing contained in this Agreement shall create any partnership, joint venture, or agency relationship between the Parties.

11.13 Contract Administrator. The City's contract administrator for this Agreement shall be the Zoning Administrator for the City, or the Zoning Administrator's designee.

11.14 Integration. This Agreement, including its Exhibits, constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes any prior agreement, understanding, negotiation, draft documents, discussion outlines, correspondence, memoranda, or representation regarding the Property.

11.15 Construction. Whenever the context of this Agreement requires, the singular shall include the plural, and the masculine shall include the feminine. This Agreement was negotiated on the basis that it shall be construed according to its plain meaning and neither for nor against any Party, regardless of their respective roles in preparing this Agreement. The terms of this Agreement were established considering the plain meaning of this Agreement and this Agreement therefore shall be interpreted according to its plain meaning and without regard to rules of interpretation, if any, that might otherwise favor Developer or City.

11.16 No Third-Party Beneficiaries. No person or entity shall be a third-party beneficiary to this Agreement or shall have any right or cause of action hereunder. Neither City nor Developer shall have any liability to third parties for any approval of plans, Developer's construction of improvements, Developer's failure to comply with the provisions of this Agreement (including any absence or inadequacy of insurance required to be carried by Developer), or otherwise because of the existence of this Agreement or the Regulatory Approvals, and City shall have no liability to any third-party for Developer's negligence.

11.17 Exhibits. All Exhibits attached hereto as specified herein are hereby incorporated into and made an integral part of this Agreement for all purposes.

11.18 Conflicts of Interest. No member, official, or employee of City shall have any direct or indirect interest in this Agreement, nor participate in any decision relating to the Agreement that is prohibited by law.

11.19 Amendments. This Agreement may not be amended except by a formal writing executed by both Parties.

11.20 Non-liability of City Officials and Employees. No member, official, representative, or employee of City shall be personally liable to any Party, or to any successor in interest to any Party, in the event of any default or breach by City or for any amount that may become due to any Party or successor, or with respect to any obligation of City related to this Agreement.

11.21 Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original and all of which together shall be deemed to be one and the same instrument.

11.22 Statutory Cancellation Right. In addition to its other rights hereunder, City shall have the rights specified in A.R.S § 38-511.

11.23 Force Majeure. The dates specified in this Agreement for performance shall be extended day-for-day during, and performance by Developer under this Agreement shall not be deemed to be in default where delays are caused by, the occurrence and the continuation of any Force Majeure Event. "Force Majeure Event" means any event caused by from acts beyond a Party's control, and all dates and time periods provided for in this Agreement shall be extended by the duration of any delays resulting therefrom. These acts will include, but not be limited to, riots, acts of war, acts of terrorism, epidemics, labor disputes not arising out of the actions of the Parties, government regulations imposed after the fact, fire, communication line failures or power failures.

11.24 Events of Default. If Developer fails to perform an obligation set forth in this Agreement, such failure, if not cured within the time periods set forth below, may be deemed by the City to be a default (an "Event of Default"). An Event of Default shall be deemed to occur if, after a written notice by City, Developer fails to correct a breach of any its obligations contained in this Agreement and such failure or neglect continues for a period of one hundred twenty (120) days. If Developer begins to cure the Event of Default once it has occurred, Developer shall have one hundred twenty (120) days to cure such Event of Default, or such later time as may be granted by the City to allow the cure to be affected. If the Event of Default is not subject to cure within such one hundred twenty (120) days, then Developer shall have reasonable time to affect a cure. Until the Event of Default is cured, the City may issue a stop work order and/or refuse to issue any permits or process development applications for the Property.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

ATTEST:

THE CITY OF SCOTTSDALE:
an Arizona municipal corporation

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Sherry R. Scott, City Attorney
By: Eric C. Anderson, Sr. Asst. City Attorney

Crackerjax Land Company, LLC
a Delaware limited liability company

By: _____
David Megdal, Authorized Representative

Contract No. 2023-144-COS

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of November, 2023, by David D. Ortega, Mayor of the City of Scottsdale, Arizona, a municipal corporation.

My Commission Expires:

Notary Public

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 26th day of October, 2023, by David Megdal, Authorized Representative of Crackerjax Land Company, LLC, a Delaware limited liability company, who executed the foregoing on behalf of the limited liability company, being authorized to do so for the purposes therein contained.

My Commission Expires:



Evelin Maldonado

Notary Public

LIST OF EXHIBITS

Exhibit "A-1"	North CrackerJax Parcel Legal Description & Depiction
Exhibit "A-2"	South CrackerJax Legal Description & Depiction
Exhibit "B"	Parcel Depiction
Exhibit "C-1"	Restrictive Covenant
Exhibit "C-2"	Workforce Housing Rental Rates
Exhibit "D"	Development Area Budget
Exhibit "E"	Development Attributes Allocation Status Form
Exhibit "F"	Power of Attorney
Exhibit "G"	Change of Address Form

EXHIBIT "A-1"

North CrackerJax Parcel

A portion of the North half of the North half of the Southwest quarter of Section 2, Township 3 North, Range 4 East of the Gila & Salt River Meridian, Maricopa County, Arizona more particularly described as follows:

Commencing at the West quarter corner of said Section 2, a brass cap in handhole, from which the Southwest corner of said Section 2, a brass cap in pothole, bears South 00°49'25" West, a distance of 2641.09 feet;

Thence along the west line of the southwest quarter of said Section 2, South 00°49'25" West, a distance of 660.46 feet, to the north line of the south half of the north half of the southwest quarter of said Section 2;

Thence leaving said west line, along said north line, South 89°39'11" East, a distance of 65.00 feet, to the easterly right-of-way line of Scottsdale Road and the **Point of Beginning**;

Thence along said easterly right-of-way line, North 00°49'25" East, a distance of 585.64 feet, to the beginning of a curve, concave southeasterly, having a radius of 20.00 feet;

Thence leaving said easterly right-of-way line, northeasterly along said curve, an arc length of 31.25 feet, through a central angle of 89°30'41", to the southerly right-of-way line of Paradise Lane;

Thence along said southerly right-of-way line, South 89°39'54" East, a distance of 100.00 feet;

Thence North 86°30'02" East, a distance of 373.84 feet;

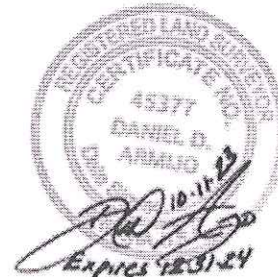
Thence South 89°39'54" East, a distance of 457.01 feet, to the beginning of a curve, concave southwesterly, having a radius of 20.00 feet;

Thence leaving said southerly right-of-way line, southeasterly along said curve, an arc length of 31.58 feet, through a central angle of 90°28'57", to the westerly right-of-way line of Dial Boulevard;

Thence along said westerly right-of-way line, South 00°49'03" West, a distance of 610.51 feet, to the north line of the south half of the north half of the southwest quarter of said Section 2;

Thence leaving said westerly right-of-way line, along said north line, North 89°39'11" West, a distance of 969.86 feet, to the **Point of Beginning**.

Containing 603,703 Square Feet or 13.86 Acres more or less.
Subject to easements, restrictions, and rights of way of record.



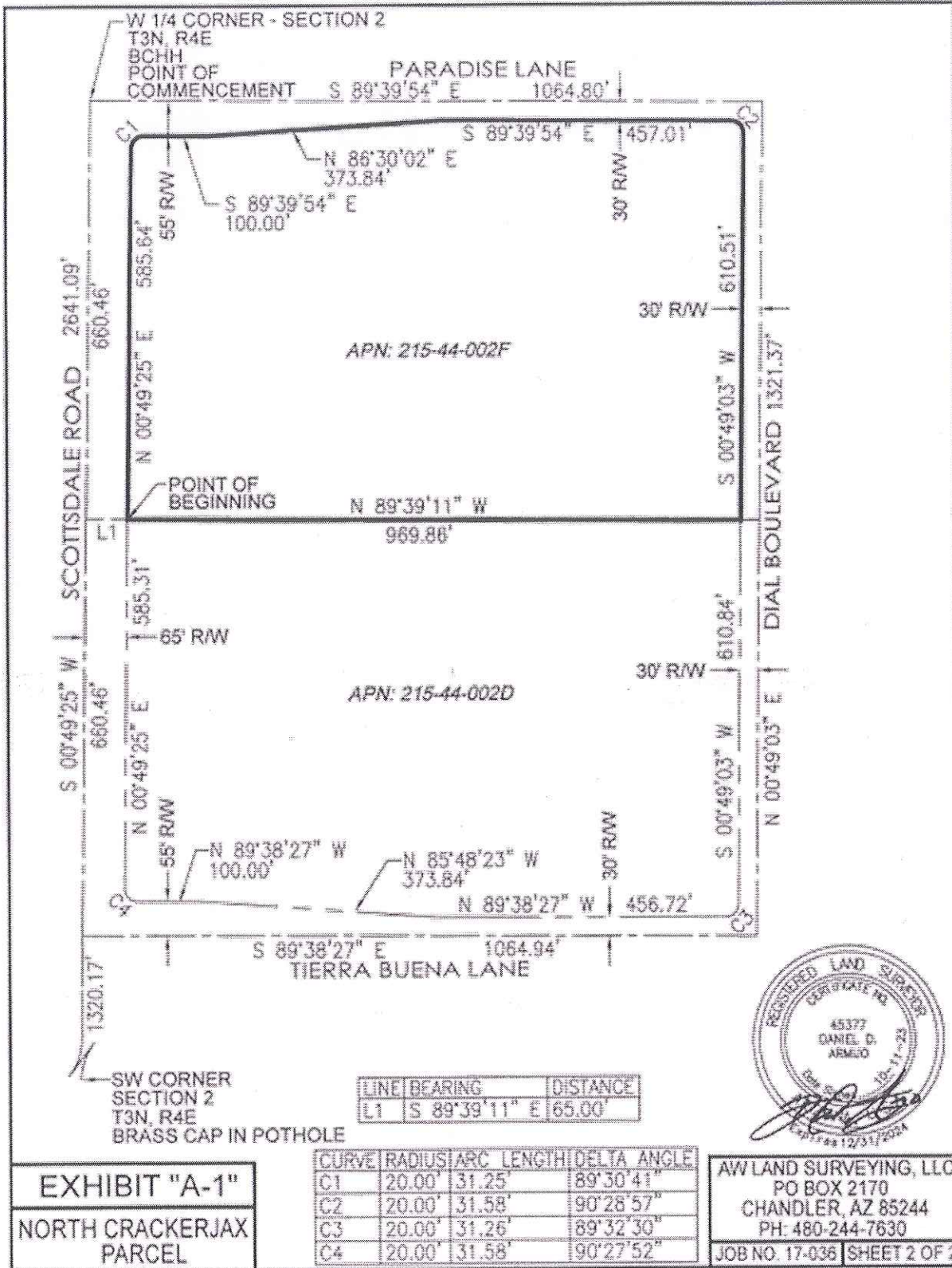


Exhibit A-1
Page 2 of 2

EXHIBIT "A2"

South CrackerJax Parcel

A portion of the South half of the North half of the Southwest quarter of Section 2, Township 3 North, Range 4 East of the Gila & Salt River Meridian, Maricopa County, Arizona more particularly described as follows:

Commencing at the West quarter corner of said Section 2, a brass cap in handhole, from which the Southwest corner of said Section 2, a brass cap in pothole, bears South 00°49'25" West, a distance of 2641.09 feet;

Thence along the west line of the southwest quarter of said Section 2, South 00°49'25" West, a distance of 660.46 feet, to the north line of the south half of the north half of the southwest quarter of said Section 2;

Thence leaving said west line, along said north line, South 89°39'11" East, a distance of 65.00 feet, to the easterly right-of-way line of Scottsdale Road and the **Point of Beginning**;

Thence continuing along said north line, South 89°39'11" East, a distance of 969.86 feet, to the westerly right-of-way line of Dial Boulevard;

Thence along said westerly right-of-way line, South 00°49'03" West, a distance of 610.84 feet, to the beginning of a curve, concave northwesterly, having a radius of 20.00 feet;

Thence leaving said westerly right-of-way line, southwesterly along said curve, an arc length of 31.26 feet, through a central angle of 89°32'30", to the northerly right-of-way line of Tierra Buena Lane;

Thence along said northerly right-of-way line, North 89°38'27" West, a distance of 456.72 feet;

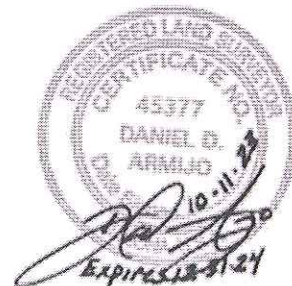
Thence North 85°48'23" West, a distance of 373.84 feet;

Thence North 89°38'27" West, a distance of 100.00 feet, to the beginning of a curve, concave northeasterly, having a radius of 20.00 feet;

Thence leaving said northerly right-of-way line, northwesterly along said curve, an arc length of 31.58 feet, through a central angle of 90°27'52", to the easterly right-of-way line of Scottsdale Road;

Thence along said easterly right-of-way line, North 00°49'25" East, a distance of 585.31 feet, to the **Point of Beginning**.

Containing 603,732 Square Feet or 13.86 Acres more or less.
Subject to easements, restrictions, and rights of way of record.



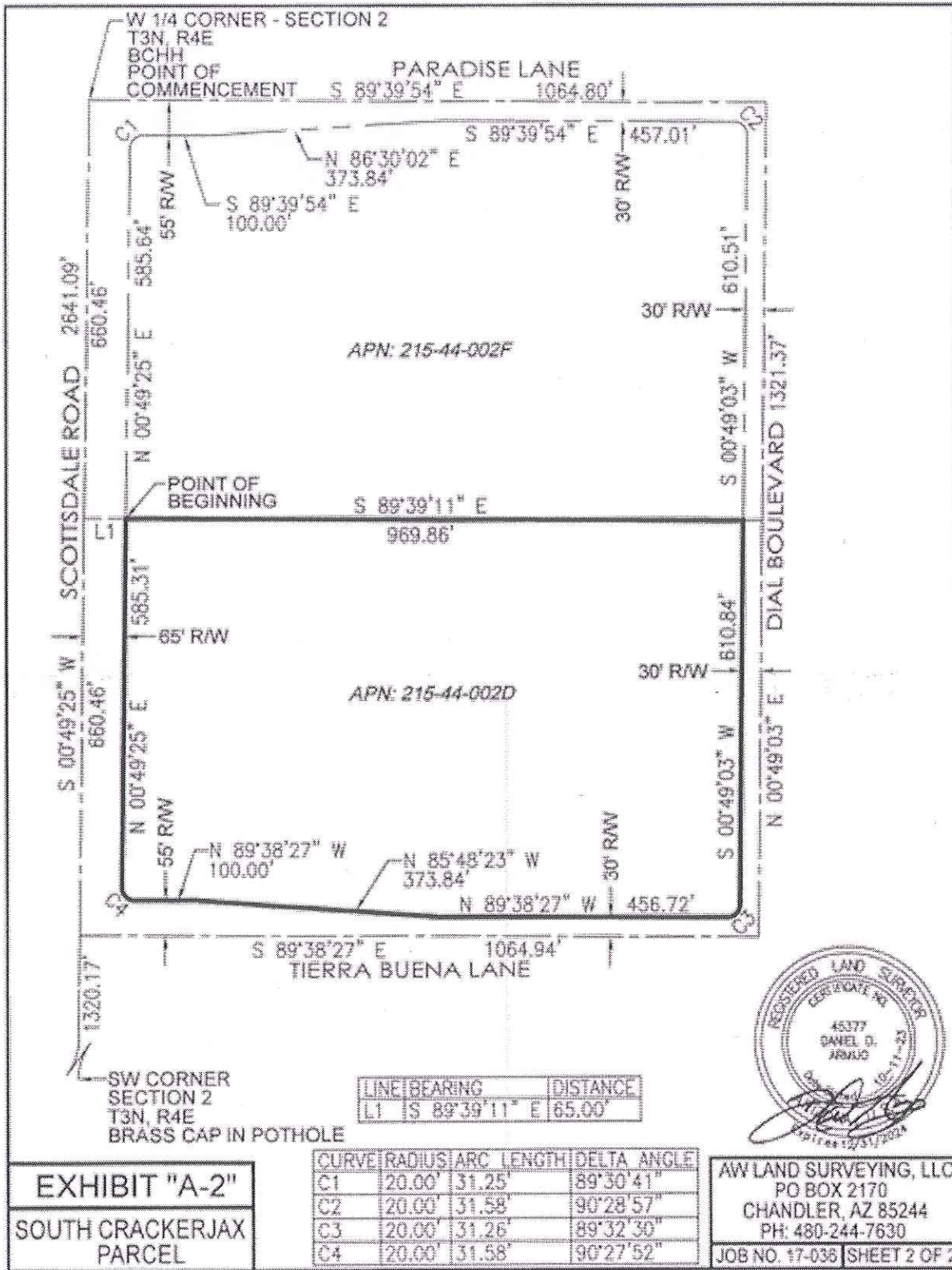
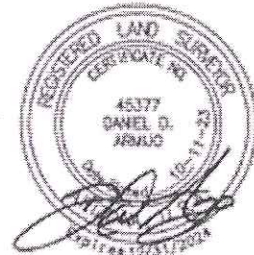


EXHIBIT "A-2"

**SOUTH CRACKERJAX
PARCEL**

LINE	BEARING	DISTANCE
LI	S 89°39'11" E	65.00'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE
C1	20.00'	31.25'	89°30'41"
C2	20.00'	31.58'	90°28'57"
C3	20.00'	31.26'	89°32'30"
C4	20.00'	31.58'	90°27'52"



AW LAND SURVEYING, LLC
 PO BOX 2170
 CHANDLER, AZ 85244
 PH: 480-244-7630
 JOB NO. 17-036 | SHEET 2 OF 2

EXHIBIT "B"

New Parcel Depictions

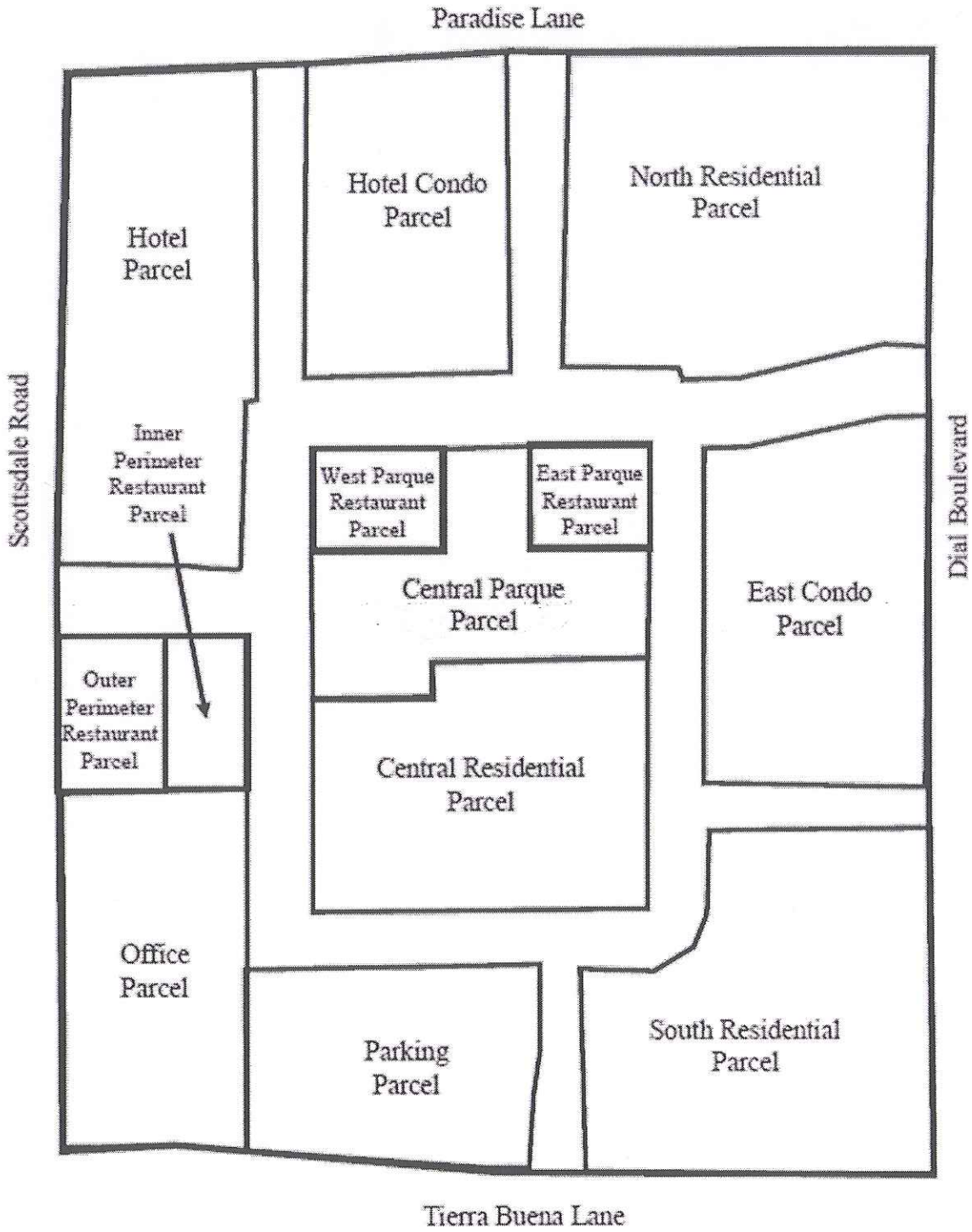


Exhibit "C-1"

RESTRICTIVE COVENANT

WHEN RECORDED, RETURN TO:

City of Scottsdale
CITY OF SCOTTSDALE
ONE STOP SHOP RECORDS
(Bryan Cluff)
7447 East Indian School Road, Suite 100
Scottsdale, AZ 85251

**RESTRICTIVE COVENANT
AND COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS RESTRICTIVE COVENANT AND COVENANTS, CONDITIONS AND RESTRICTIONS (the "Restrictive Covenant") is made effective as of the ____ day of _____, 202_ by THE CITY OF SCOTTSDALE, an Arizona municipal corporation, ("City"), and Crackerjax Land Company, LLC, a Delaware limited liability company ("Developer"). City and Developer may be referred to in this Restrictive Covenant individually as a "party" and collectively as the "parties."

RECITALS

A. Developer has a property interest in certain real property more particularly described on Exhibit "A" attached hereto (the "Property"), which Developer is redeveloping to include the multifamily residential elements on the Property (the "Project").

B. A rezoning was completed upon the approval of the City's City Council on November 13, 2023 (the "New Zoning") with respect to the Property to allow the Project to be completed. In conjunction with the New Zoning, Developer entered a Development Agreement with City dated November __, 2023, and recorded at 2023-_____ of the official records of Maricopa County (the "Development Agreement"). Pursuant to the Development Agreement, Developer agreed to devote for a period of time more fully described in this Restrictive Covenant (the "Workforce Housing Rate Period") equal to at least ten percent (10%) of the units to be constructed in the Project (the "Workforce Housing Units") for occupancy by tenants whose adjusted median income, as such income standards are established and adjusted from time to time pursuant to federal guidelines, qualify such tenants for "Workforce Housing" rental rates under such federal guidelines (the "Qualified Tenants"). Qualified Tenants are to pay rent at rates set in accordance with the Workforce Housing rental rates (the "Workforce Housing Rental Rates") set forth in the Workforce Housing Maximum Rent Schedule in effect on the date of the New Zoning (and attached as Exhibit "B" to this Restrictive Covenant), as such Workforce Housing Rental Rates reasonably may be adjusted from time-to-time by the City pursuant to annual changes directed by the federal government.

In consideration of the above premises, the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, Developer and City, intending to be legally bound, and each for itself and its successors and assigns, covenant and agree as follows:

DECLARATION AND AGREEMENT

1. Restrictions and Covenants.

a. Workforce Housing Units Set-Aside. Developer, for itself, and its successors and assigns hereby declares that (a) at all times during the Workforce Housing Rate Period, it shall make the Workforce Housing Units available, with the mix of the units set aside as Workforce Housing Units being the number of two-bedroom units (for households of three and four members), one-bedroom units (for households of two members), and studio units (for households of one member) as Qualified Tenants request and as such Workforce Housing Units are available based on the number then occupied by Qualified Tenants; and (b) the Workforce Housing Units shall be held and, if the Project is sold, shall be conveyed subject to the terms, covenants, conditions, and restrictions set forth in this Restrictive Covenant for the Workforce Housing Rate Period, defined below. Each person who acquires any right, title or interest in the Property or any part thereof, agrees to abide by all the provisions of this Restrictive Covenant.

b. Workforce Housing Rate Period. The Workforce Housing Rate Period shall begin on the date of issuance of the Certificate of Occupancy for the Project (the "Workforce Housing Commencement Date"). The Workforce Housing Rate Period shall continue from the Workforce Housing Commencement Date until the date on which Developer has supplied sufficient Workforce Housing Units at the Workforce Housing Rental Rates so that Developer has supplied Workforce Housing Units for a combined aggregate total of [INSERT NUMBER OF MONTHS BASED ON FORMULA OF: 10% of Project units X 10 years X 12 months] _____ (_____) total months. Further, in no event will the Workforce Housing Rental Rate of any Workforce Housing Unit be withdrawn or increased prior to the end of the lease term then in effect for such Workforce Housing Unit then occupied by any Qualified Tenant(s). The period of time during which the Workforce Housing Rental Rates shall apply to the Workforce Housing Units pursuant to this subsection shall be deemed the "Rate Reduction Period."

c. Workforce Housing. But for the application of the Workforce Housing Rental Rates to the Workforce Housing Units, the Workforce Housing Units would be leased by Developer at rental rates reflected in the market for units in the Project, as set by Developer in its ordinary course of business.

d. Workforce Unit Rental. Developer shall provide the City on a quarterly basis following the end of each calendar quarter beginning with the first calendar quarter after the Workforce Housing Commencement Date, a statement setting forth the number of Workforce Housing Units under rent during the calendar quarter (the "Workforce Unit Application Statement"). The City shall review the Workforce Unit Application Statement and provide Developer with any objections to it within thirty (30) days of Developer's supplying the Workforce

Exhibit "C-1"

Page 2 of 9

C.O.S. Contract No. 2023-144-COS
(The Parque)
(Resolution No. 12937)

Unit Application Statement and associated documents and records to City (the “Review Period”). To the extent that City does not object to such Workforce Unit Application Statement, City immediately shall be deemed to have accepted such Workforce Unit Application Statement. If the City objects to the Workforce Unit Application Statement, the City shall supply such objections to Developer in writing before the end of the Review Period. After receipt of the City’s objections, if any, the City and Developer promptly shall meet to attempt to resolve such objections within thirty (30) days of Developer’s receipt of them. At the meeting to resolve the City’s objections concerning the Workforce Unit Application Statement, Developer and the City shall confer in good faith to resolve all disputes. To the extent such disputes are thereby resolved, the City immediately shall acknowledge the extent to which Developer has supplied Workforce Units to Qualified Tenants. If Developer and the City are not able to resolve all such disputes, then they shall first undertake to meet and confer before exercising any other remedy available under this Restrictive Covenant or in law or equity. A party’s acceptance of any application of Workforce Housing Units under this provision shall not be deemed a waiver of any other objections to the remaining amount of Workforce Housing Units claimed to have been supplied or owed pursuant to this Restrictive Covenant. The Developer shall continue to supply Workforce Housing Units until the total amount of the Workforce Housing Units reaches a total of two thousand sixty-four (2064) months of occupancy by Qualified Tenants in Workforce Units.

2. Monitoring; Reporting.

a. “Workforce Housing” is defined as residential units with Qualified Tenants whose income meets or is below the amount defined in Exhibit “B” attached hereto (as such limits reasonably may be adjusted from time to time in accordance with federal regulations).

b. During the term of this Restrictive Covenant, Developer agrees to:

i. Utilize normal and customary practices and procedures for the development of the Project.

ii. Obtain and maintain, for at least five (5) years, the income information received from, and Gross Rent charged to, each Qualified Tenant of any Workforce Housing Unit. Developer shall obtain such documentation as is necessary for Developer, in good faith, to verify each Qualified Tenant’s income, which may include, without limitation, tax returns, affidavits or certifications confirming income levels, employment and salary information or other reasonable documentation. Developer may apply its resident qualification guidelines and other reasonable assessments to determine the qualification of prospective tenants who may qualify as Qualified Tenants (as well as any other tenants of the Project) as long as such assessments are in compliance with federal and state law.

iii. Maintain, for at least five (5) years, records actually obtained by Developer that relate to the characteristics of tenants occupying the Workforce Housing Units. Such records may include, to the extent obtained by Developer using good faith efforts (but without an affirmative obligation of Developer to obtain same), such data as requested by the City that is in compliance with federal and state laws and governing regulations.

iv. Provide City with written reports of its activities on an annual basis, with a final report when this Restrictive Covenant terminates. Such annual reports shall include the name of the Qualified Tenants occupying each Workforce Housing Unit, the income levels of each Qualified Tenant, a summary of the documentation or evidence received from each Qualified Tenant to verify its income and the Gross Rent paid by each such Qualified Tenant. The annual reports shall also include the information and characteristics of each Qualified Tenant obtained by Developer pursuant to subpart (iii) above.

v. Give all notices and comply with all laws, ordinances, rules, building codes, regulations and lawful orders of any public authority bearing on the performance of its activities in operating the Project.

vi. Comply fully with any applicable Housing Quality Standards and all federal, state, and local laws and court orders applicable to its operations, whether or not referred to in this Restrictive Covenant.

vii. Abide by all regulations that are applicable to Developer pursuant to the Immigration and Naturalization Reform Act of 1986, specifically as it relates to employment and client services, and such other provisions as may be applicable, including A.R.S. § 23-214(A).

viii. Permit City and its designees to have access to Developer's records and reports compiled pursuant to subpart (ii) above for purposes of verification and auditing. Further, Developer shall permit City and its designees to have access to the Project for purposes reasonably related to verification of compliance with this Restrictive Covenant, including without limitation, inspections during normal business hours no less than once each year to verify compliance with the Housing Quality Standards, provided, however, that City shall provide Developer at least three (3) days' advance notice prior to any inspection of the Project. City understands and acknowledges that it shall have no right to access or inspect any unit that is occupied or subject to an occupancy or rental agreement except in accordance with the rental or occupancy agreement and as otherwise permitted by applicable law.

3. Estoppel Certificate; Financing. City shall at any time and from time to time upon not less than sixty (60) days' prior written notice from Developer (or the owner of the Property) execute, acknowledge and deliver to Developer or the owner of the Property or their respective lenders, or any other third party, including a prospective purchaser, a statement in writing (a) certifying that this Restrictive Covenant is unmodified and in full force and effect (or if modified, stating the nature of such modification and certifying that this Restrictive Covenant, as so modified, is in full force and effect); and (b) acknowledging that there are not, to City's knowledge, any uncured defaults on the part of Developer hereunder, or specifying such defaults if they are claimed. City's failure to deliver a statement within the time prescribed shall be conclusive upon City (a) that this Restrictive Covenant is in full force and effect, without modification; and (b) that there are no uncured defaults by Developer hereunder. Any such statement (or absence of statement within the time prescribed) may be relied upon by any existing or prospective lender, title insurer, purchaser, assignee, or other third party.

4. Termination; Default; Remedies.

a. Expiration Date. This Restrictive Covenant automatically will terminate (without further action of the parties) and be of no further force and effect upon the end of the Rate Reduction Period. No further act of the parties shall be necessary for such termination to be effective, but to the extent requested by the Developer of the Property at such time, City shall forthwith execute any termination reasonably requested to confirm the termination of this Restrictive Covenant, which termination Developer may then cause to be recorded in the Records of the Maricopa County Recorder.

b. Default. It shall be a default hereunder if Developer fails to perform any of its obligations hereunder and such failure continues for a period of thirty (30) days after written notice from City specifying in reasonable detail the nature of such failure; provided, however, that such 30-day period shall be extended to the extent the default cannot reasonably be cured within thirty (30) days and Developer has commenced the cure of such default within such 30-day period. It shall also be a default hereunder if Developer seeks to avoid compliance with the covenants and agreement set forth herein for any reason, including without limitation, by filing any petition or application for relief under any federal, state, or local law pertaining to reorganization, insolvency, or readjustment of debts.

c. Remedy. If Developer is in default, and fails to cure any such default within the time period described in Section 4(b) above, then City, in addition to other rights and remedies it may have at law or in equity, may apply to any court of competent jurisdiction for injunctive or other relief in order to enforce or prevent any violation of the provisions hereof, including damages for the value of the rent reductions to be afforded to Qualified Tenants and the City's costs and expenses associated with replacing such Workforce Housing Units with other housing. Accordingly, the parties agree that it would be impractical or extremely difficult to establish the Rental Value precisely, so Developer agrees that, if Developer is in default in supplying the Workforce Units, then the City's City Manager (or designee) shall estimate, in the City's reasonable discretion, the amount of aggregate reductions in rent that otherwise should have been supplied by Developer to provide the Workforce Units with applicable Workforce Housing Rental Rates, and multiply such result by one and one half (1.5), with the product of such calculation to represent a reasonable estimate of the City's actual damages (the "Lost Rental Value"). Such liquidated damages also shall not be applied against any costs or attorneys' fees recoverable by City to enforce the terms and conditions of this Agreement if Developer defaults hereunder, which shall be recoverable from Developer in addition to City's right to receive the liquidated damages provided for in this Section 4c. Any liquidated damages recovered by the City as a result of the application of this subsection shall be added to City's community services budget and utilized by the City in furtherance of affordable housing or other similar housing programs offered by the City. In consideration for the payment of such liquidated damages, thereafter the City shall be deemed to have waived any and all other claims for damages or relief at law or in equity on account of Developer's failure to provide the Workforce Housing Units and this Restrictive Covenant shall thereafter be deemed to be released. Notwithstanding that the City may elect to require the Developer to pay the liquidated damages amount reflected by the Lost Rental Value as calculated by the City, the City may, in lieu thereof, pursue any and all remedies available to it at law or in equity, including the right to sue for specific performance of such obligations by Developer, and

to recover its costs and attorneys' fees incurred in any such action; provided, however, that in no case shall Developer be liable for special, consequential or punitive damages.

5. Mortgagee Protection. If any lender (i.e., any mortgagee holding a mortgage or deed of trust, or any of its affiliates, and including any special servicer or receiver acting for or on behalf of same) succeeds to the interest of Developer with respect to the Property: (a) such lender's liability hereunder shall be limited solely to the period during that said lender has ownership of the Property; and (b) such lender's liability hereunder shall be limited solely to such lender's interest, if any, in the Property.

6. Attorneys' Fees. If any arbitration, litigation, or administrative proceeding is commenced to enforce the provisions of this Restrictive Covenant, the prevailing party in such litigation or proceeding may recover, in addition to such other relief as may be granted, its reasonable attorneys' fees, expert witness fees, arbitration and litigation related expenses, and court costs in such arbitration, litigation or proceeding.

7. Notices. All Notices which shall or may be given pursuant to this Restrictive Covenant shall be in writing and transmitted by registered or certified mail, return receipt requested, addressed as follows:

If to the City: City of Scottsdale
Attention: Zoning Administrator
Planning and Development Services Department
7447 E. Indian School Road, Suite 105
Scottsdale, Arizona 85251

Copy to: The City of Scottsdale
Attention: City Attorney
3939 N. Drinkwater Boulevard
Scottsdale, Arizona 85251

If to Developer: _____
Attn: _____

And Copy to: Berry Riddell, LLC
Attention: John Berry
6750 E Camelback Road, Suite 100
Scottsdale, Arizona 85251
jb@berryriddell.com

Either party may designate any other address for this purpose by written notice to the other party in the manner described herein. The email addresses set forth in this Section 7 are for convenience in providing an optional duplicate notice and shall not be considered effective for purposes of providing the notices required or permitted pursuant to this Agreement.

8. Miscellaneous. No delay or failure by any party to exercise any right under this Restrictive Covenant and no partial or single exercise of that right shall constitute a waiver of that or any other right, unless otherwise expressly provided herein. Headings in this Restrictive Covenant are for convenience only and shall not be used to interpret or construe its provisions. This Restrictive Covenant shall be construed in accordance with and governed by the laws of the State of Arizona. The Developer acknowledges that the City requires Developer's lender(s) to the Project to consent to the imposition of this Restrictive Covenant on the Property, which consent shall be set forth below.

IN WITNESS WHEREOF, the undersigned have executed this Restrictive Covenant as of the date first above written.

ATTEST:

THE CITY OF SCOTTSDALE:
an Arizona municipal corporation

By: _____
Ben Lane, City Clerk

By: _____
David D. Ortega, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 202_,
by David D. Ortega, Mayor of the City of Scottsdale, Arizona, a municipal corporation.

My Commission Expires: _____
Notary Public

_____, LLC
a _____ limited liability company

By: _____, LLC
a _____ limited liability company
Its: _____ Managing Member

By: _____
Name: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 202_, by _____ Crackerjax Land Company, LLC, a Delaware limited liability company, who executed the foregoing on behalf of the company, being authorized to do so for the purposes therein contained.

My Commission Expires:

Notary Public

ACKNOWLEDGED BY
LENDER

a _____

By: _____

Its: Manager

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this _ day of _____, 202__, by
_____, _____, a _____.

My Commission Expires:

Notary Public

ACKNOWLEDGED AND
APPROVED FOR RECORDING BY:
[PLACEHOLDER LENDER]

By: _____

Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this _ day of _____, 202__, by
_____ of [PLACEHOLDER LENDER], a _____
corporation.

My Commission Expires:

Notary Public

EXHIBIT "A"

Legal Description of Property

EXHIBIT “B”

City’s Workforce Housing Maximum Rent Schedule

During the Workforce Housing Rate Period, the Workforce Housing Units shall be utilized as rental housing for individuals or families at rental rates not greater than the lesser of:

(i) the fair market rent for existing housing for comparable units in the area as established by the United States Department of Housing and Urban Development (“HUD”) less the monthly allowance for utilities and services (excluding telephone) to be paid by tenant as published from time to time by HUD at:

<https://www.huduser.gov/portal/datasets/fmr.html>; or

(ii) a rent that does not exceed thirty percent (30%) of the adjusted income of a family whose gross income equals or is less than one hundred twenty percent (120%), but not lower than eighty-one percent (81%) of the median income for the area as determined by HUD, with adjustment for number of bedrooms in the unit. In determining the maximum monthly rent that may be charged for a unit that is subject to this limitation, the monthly allowance for any utilities or services (excluding telephone) to be paid by tenant, must be subtracted.

EXHIBIT “C-2”

CALCULATION OF WORKFORCE HOUSING RENTAL RATES

During the Workforce Housing Rate Period, the Workforce Housing Units shall be utilized as rental housing for individuals or families at rental rates not greater than the lesser of:

(i) the fair market rent for existing housing for comparable units in the area as established by the United States Department of Housing and Urban Development (“HUD”) less the monthly allowance for utilities and services (excluding telephone) to be paid by tenant as published from time to time by HUD at <https://www.huduser.gov/portal/datasets/fmr.html>; or

(ii) a rent that does not exceed thirty percent (30%) of the adjusted income of a family whose gross income equals or is less than one hundred twenty percent (120%), but not lower than eighty-one percent (81%) of the median income for the area as determined by HUD, with adjustment for number of bedrooms in the unit. In determining the maximum monthly rent that may be charged for a unit that is subject to this limitation, the monthly allowance for any utilities or services (excluding telephone) to be paid by tenant, must be subtracted.

**EXHIBIT “D”
DEVELOPMENT AREA BUDGET**

C.O.S. Contract No. 2023-144-COS
(Resolution No. 12937)

- Maximum Units: 1236
- Maximum FAR of 1.73 FAR = 1.73 * 27.719 acres = 2,086,097 square feet (“SF”)
- Current Property gross SF = 1,406,793 SF (32.29 acres)

	*Maximum Dwelling Units	Proposed Dwelling Units	*Maximum Square Footage	Proposed Square Footage	Proposed Open Space (SF)	Pro-Rated FAR Bonus Amount
Hotel Parcel	0	0	220,000 SF	201,075 SF	37,052	\$1,539,844
Hotel Condo Parcel	250	126	380,000 SF	362,132 SF	13,929	\$2,773,217
North Residential Parcel	410	373	412,000 SF	374,765 SF	25,438	\$2,869,962
Inner Perimeter Restaurant Parcel	0	0	8,000 SF	6,000 SF	7,451	
Outer Perimeter Restaurant Parcel	0	0	8,000 SF	6,000 SF	11,108	
Central Parque Parcel	0	0	0	0 SF	63,005	
West Parque Restaurant Parcel	0	0	8,000 SF	5,400 SF	7,428	
East Parque Restaurant Parcel	0	0	8,000 SF	5,400 SF	7,428	
Central Residential Parcel	350	312	369,000 SF	335,720 SF	21,582	\$2,570,955
East Condo Parcel	230	115	360,000 SF	327,600 SF	30,527	\$2,508,772
South Residential Parcel	340	310	343,000 SF	312,005 SF	37,867	\$2,389,346
Office Parcel	0	0	180,000 SF	150,000 SF	55,024	\$1,148,712
Parking Parcel	0	0	0	0 SF	19,536	
Street Tract					84,857	
Total Maximum for Entire Property (all Parcels)	1,236	1,236	2,086,097 SF	2,086,097 SF	422,232	\$15,800,808

*Maximum Square Footage and Maximum Dwelling Units is intended to allow flexibility for parcel square footage or dwelling units to shift between one parcel to another and provides a maximum cap per parcel. If a parcel square footage or dwelling units increases from the Proposed Square Footage, another parcel must decrease a commensurate amount so as not to exceed the Total Maximum for Entire Property.

EXHIBIT "E"

When Recorded Return To:

CITY OF SCOTTSDALE
ONE STOP SHOP RECORDS
7447 East Indian School Road, Suite 100
Scottsdale, AZ 85251

C.O.S. Contract No. 2023-144-COS
(Resolution No. 12937)

COVER SHEET

DEVELOPMENT ATTRIBUTES ALLOCATION STATUS FORM

DEVELOPMENT ATTRIBUTES ALLOCATION STATUS

Parcel-By-Parcel Maximums & Allocations—Gross Floor Area						
	Assessor Parcel Number APN	Acres	Square Footage Previously Allocated	Square Footage Allocated by & through this Recording	Balance Square Footage Remaining as to Max Sq. Ft.	Maximum Square Footage
Hotel Parcel						
Hotel Condo Parcel						
North Residential Parcel						
Inner Perimeter Restaurant Parcel						
Outer Perimeter Restaurant Parcel						
Central Parque Parcel						
West Parque Restaurant Parcel						
East Parque Restaurant Parcel						
Central Residential Parcel						
East Condo Parcel						
South Residential Parcel						
Office Parcel						
Entire Property Maximums & Allocation Limits—Gross Floor Area						
Total Maximum Square Footage for Entire Property Allowed (all Parcels)						

Parcel-By-Parcel Maximums & Allocations—Dwelling Units					
	Assessor Parcel Number APN	Dwelling Units Previously Allocated (Exclusive of FAR)	Dwelling Units Allocated by & through this Recording (Exclusive of FAR)	Balance Dwelling Units Remaining as to Max Dwelling Units (Exclusive of FAR)	Maximum Dwelling Units (Exclusive of FAR)
Hotel Parcel					
Hotel Condo Parcel					
North Residential Parcel					
Inner Perimeter Restaurant Parcel					
Outer Perimeter Restaurant Parcel					
Central Parque Parcel					
West Parque Restaurant Parcel					
East Parque Restaurant Parcel					
Central Residential Parcel					
East Condo Parcel					
South Residential Parcel					
Office Parcel					
Entire Property Maximums & Allocation Limits—Gross Floor Area					
Total Maximum Dwelling Units for Entire Property Allowed (all Parcels)					

CITY OF SCOTTSDALE
an Arizona municipal corporation

By: _____
_____, Zoning Administrator

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 202_,
by _____, Zoning Administrator, City of Scottsdale, an Arizona municipal
corporation.

My Commission Expires: _____
Notary Public

DEVELOPER:

Crackerjax Land Company, LLC
an Delaware limited liability company

By: _____
Name: _____
Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of _____, 202_,
by _____, _____ of Crackerjax Land Company, LLC, an Arizona limited
liability company.

My Commission Expires: _____
Notary Public

EXHIBIT "F"
SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That, _____ ("Developer") has made, constituted and appointed, and by these presents does hereby make, constitute and appoint and the Zoning Administrator of the City of Scottsdale, Arizona, an Arizona municipal corporation ("City") its true and lawful Attorney-in-Fact, for it and in its name, place and stead, to execute and deliver any and all documents or instruments in connection with any application to rezone certain real property that is subject to and as is set forth in Section 5.11.1 of the Development Agreement between Developer and the City.

Developer hereby gives and grants unto its said Attorney-in-Fact full power, discretion and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as it might or could do if personally present, hereby ratifying and confirming all that its said Attorney-in-Fact shall lawfully do or cause to be done by virtue of these presents. This special power of attorney shall be deemed to be coupled with an interest.

Crackerjax Land Company, LLC
a Delaware limited liability company

By: _____
Name: _____
Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 202___, by _____, an Authorized Representative of _____, who executed the foregoing on behalf of the limited liability company, being authorized to do so for the purposes therein contained.

My Commission Expires:

Notary Public

Exhibit "G"

CHANGE OF ADDRESS FORM

When Recorded Return to:

CITY OF SCOTTSDALE
8401 W. Monroe Street
Scottsdale, AZ 85345

C.O.S. Contract No. 2023-144-COS
(The Parque)
(Resolution No. 12937)

ADDRESS CHANGE NOTICE

The undersigned authorized party under that certain Parque Development Agreement between City of Scottsdale Arizona municipal corporation ("City"), and _____, an Arizona limited liability company, City of Scottsdale Contract No. _____ (the "Development Agreement") recorded at document No. _____ of the public records of Maricopa County, Arizona hereby gives Notice to the City that all future Notices (until a subsequent Address Change Notice is recorded) under the Development Agreement shall be given to the persons and addresses shown at Section 11.2 of the Development Agreement and that such future Notices need not be given to any other person or address, including any person or address specified in any prior Address Change Notice. City shall be conclusively entitled to rely on this Notice.

Dated: _____, 20__.

_____, a

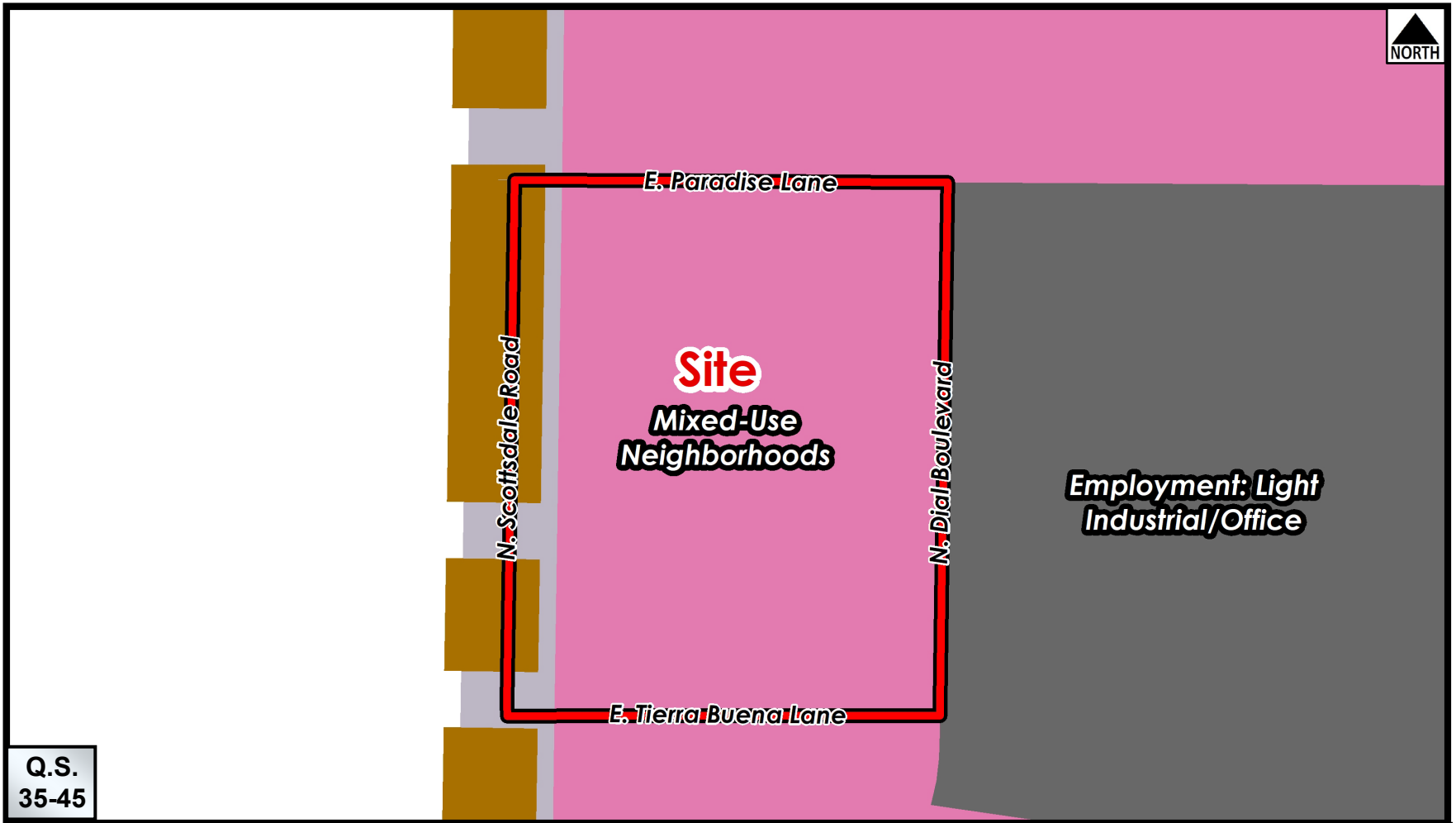
By: _____
Its: _____

STATE OF ARIZONA)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this ___ day of _____, 20___, by _____, _____ of a _____.

My Commission Expires:

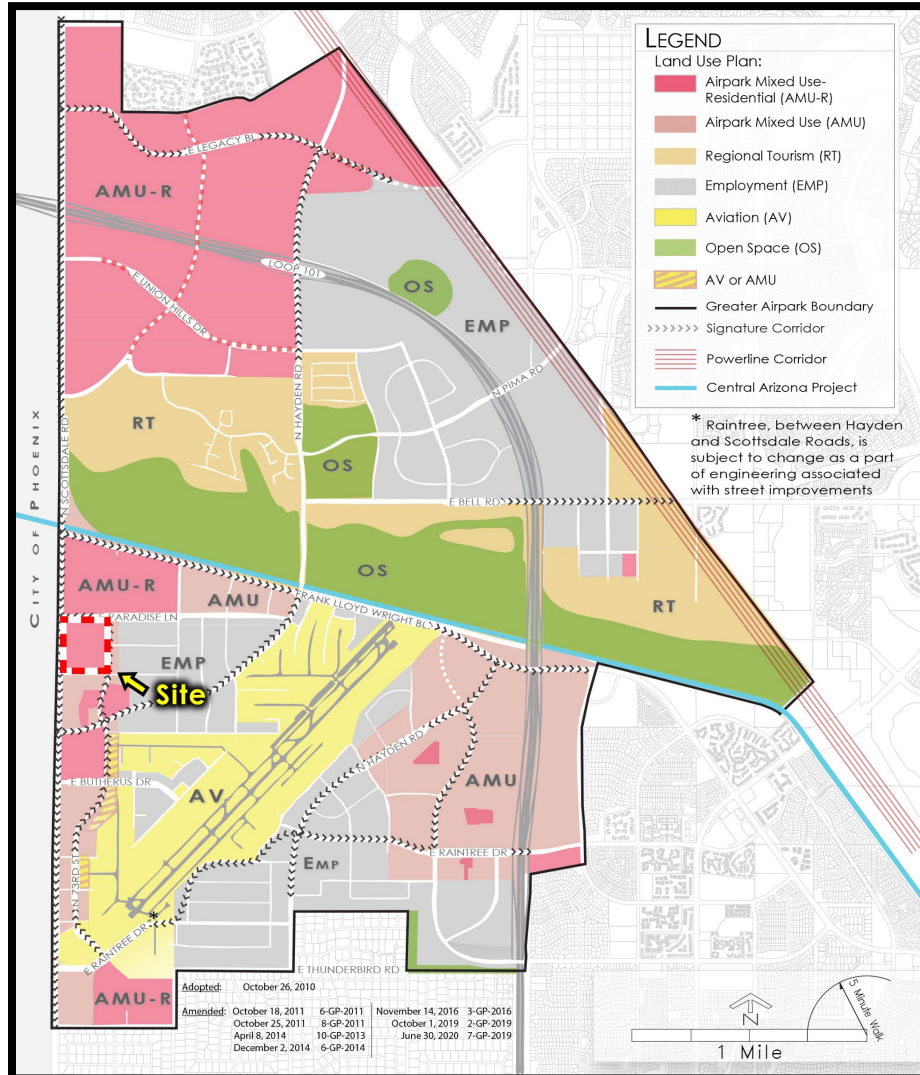
Notary Public



Existing General Plan 2035 Future Land Use Map
+/- 32.29 acres of Mixed-Use Neighborhoods

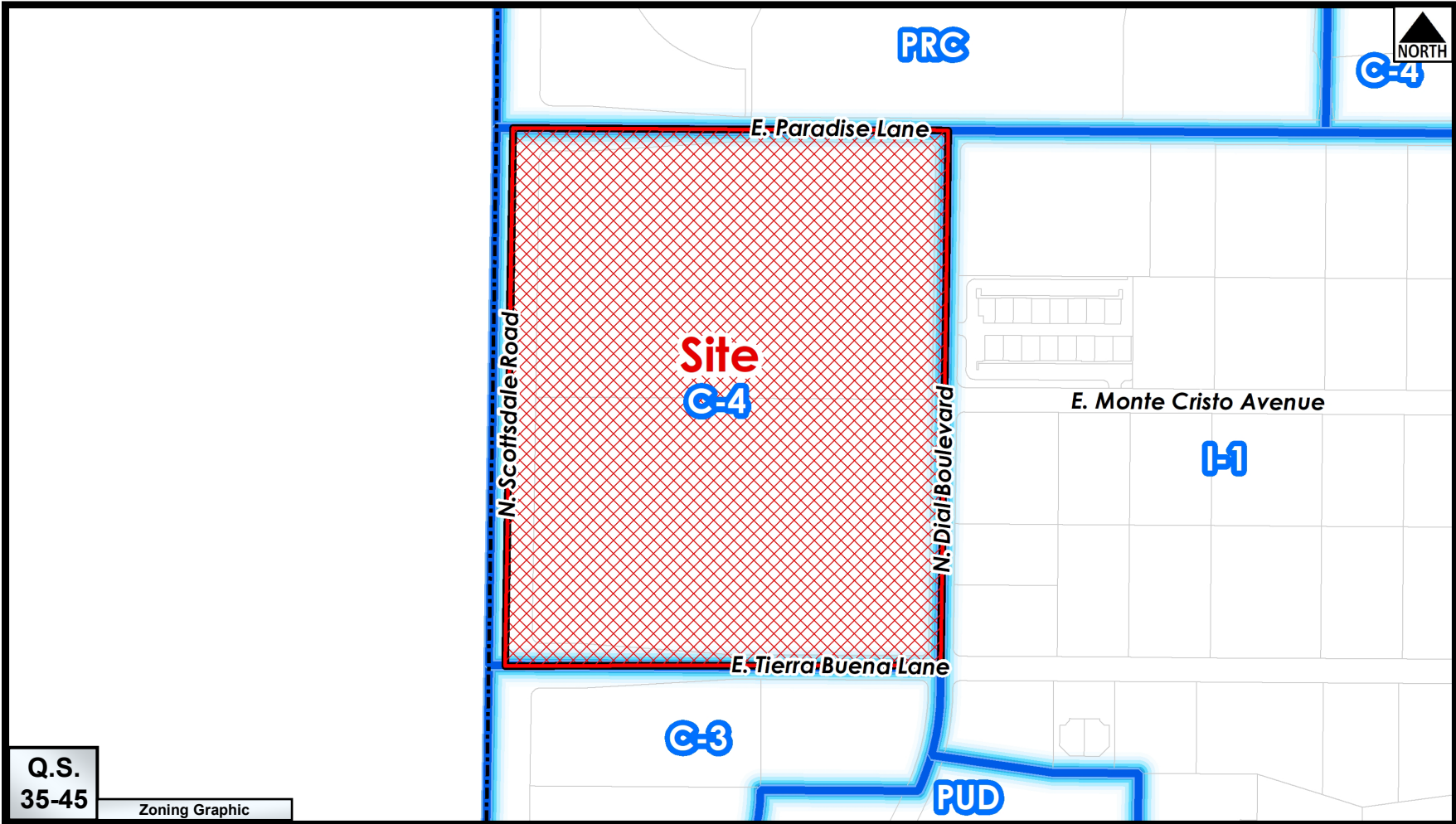
13-ZN-2022

Attachment 6



Greater Airpark Area Character Area – Land Use Plan

13-ZN-2022



Q.S.
35-45

Zoning Graphic

Existing Zoning

13-ZN-2022

Attachment 8

TRAFFIC IMPACT ANALYSIS SUMMARY
The Parque
NEC Tierra Buena Lane & Scottsdale Road
13-ZN-2022

Summary Prepared by PMurphy, COS Traffic Engineering
Traffic Impact Study Prepared by Jamie Blakeman, Lokahi, dated 7/18/2023
Traffic Impact Study Status: ACCEPTED with comment
Date Summary Prepared: 8/8/2023

Existing Conditions:

Site Location –

Existing Development – Site is currently zoned C-4, the existing CrackerJax multi-recreational facility is closed.

Street Classifications –

- Frank Lloyd Wright Boulevard is classified as a Major Arterial.
- Scottsdale Road is classified as a Major Arterial
- Greenway-Hayden Loop is classified as a Minor Arterial
- Paradise Lane is classified as a Minor Collector
- Dial Boulevard/73rd Street is classified as a Minor Collector
- Tierra Buena Lane is an unclassified local roadway.

Existing Street Conditions –

- The Scottsdale Road and Paradise Lane intersection is signalized. There are exclusive left-turn and right-turn lanes on all approaches. Scottsdale Road has three lanes in each direction. Paradise Lane has one lane in each direction. All left turns operate under permissive/protected with FYA.
- The Scottsdale Road and Tierra Buena Lane intersection is stop controlled for eastbound/westbound. There are exclusive left-turn and right-turn lanes on westbound, northbound, and southbound approaches.

Existing Volumes –

- There are 34,230 daily vehicles on Scottsdale Road, between Greenway-Hayden Loop and Paradise Lane (0.71 V/C)
- There are 35,850 daily vehicles on Scottsdale Road, between Paradise Lane and Frank Lloyd Wright Boulevard (0.75 V/C)
- There are 5,570 daily vehicles on Paradise Lane, east of Scottsdale Road (0.40 V/C)
- There are 2,270 daily vehicles on Dial Boulevard, between Tierra Buena Lane and Paradise Lane (0.16 V/C)
- There are 2,780 daily vehicles on Tierra Buena Lane, east of Scottsdale Road (0.20 V/C)

Existing Speed Limits –

- Scottsdale Road has a 45-mph speed limit.
- Frank Lloyd Wright has a 45-mph speed limit.
- Greenway-Hayden Loop has a 40-mph speed limit.
- Paradise Lane has a 35-mph speed limit.
- Tierra Buena Lane has a 30-mph speed limit.
- Dial Boulevard has a 30-mph speed limit.

Collision Information –

Segments (average collision rate = 1.36)

- Greenway-Hayden, Scottsdale to FLW = 2.85 (rank 43)
- Scottsdale, Paradise to FLW = 1.89 (rank 78)
- Scottsdale, Butherus to Greenway-Hayden = 1.23 (rank 121)
- Scottsdale, Greenway-Hayden to Paradise = 0.74 (rank 176)
- FLW, Scottsdale to Greenway-Hayden = 0.00

Intersections (average collision rate = 0.54)

- Greenway-Hayden & FLW = 0.99 (rank 27)
- Scottsdale & Greenway-Hayden = 0.65 (rank 70)
- Scottsdale & FLW = 0.63 (rank 71)
- Scottsdale & Butherus = 0.23 (rank 160)

Proposed Development:

Description - The proposed development plan consists of a mixed used development with multifamily housing complexes, hotels, office and retail space, and several restaurants.

Site Access – The applicant is proposing to have main site access from Scottsdale Road, between Tierra Buena Lane and Paradise Lane. Other driveways will be constructed on Tierra Buena Lane, Paradise Lane, and Dial Boulevard.

TRIP GENERATION COMPARISON TABLE:

	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Proposed - LUC 221, Multifamily Mid Rise 1,236 DU	5,849	122	410	532	294	188	482
Proposed - LUC 310, Hotel 223 Rooms	1,994	59	46	105	70	68	138
Proposed - LUC 710, General Office 150,000 square feet	1,651	209	28	237	39	193	232
Proposed - LUC 822, Retail Plaza 25,250 square feet	1,375	36	24	60	83	83	166
Proposed - LUC 931, Quality Restaurant 35,120 square feet	2,944	14	12	26	184	90	274
TOTAL PROPOSED	13,813	440	520	960	670	622	1,292
Existing Land Use - CrackerJax	450	8	5	13	18	23	41
DIFFERENCE FROM EXISTING	+13,363	+432	+515	+947	+652	+599	+1,251

Traffic Analysis:

Intersection Level of Service – Using a 2025 horizon year with traffic generated by the build out of the proposed development:

- Tierra Buena Lane & Scottsdale Road (signalized condition)
 - Eastbound through/right LOS E in PM peak
- Paradise Lane & Greenway-Hayden Loop
 - Eastbound left/through LOS F in AM and PM peak
 - Westbound left/through LOS F in PM peak
- Frank Lloyd Wright Boulevard & Scottsdale Road
 - Northbound left and northbound through LOS E in AM peak
 - Overall LOS E in PM peak
 - Westbound left, westbound through, northbound left, northbound through LOS E or worse in PM peak
- Paradise Lane & Scottsdale Road
 - Eastbound left and southbound through LOS E in PM peak
- Greenway-Hayden Loop & Scottsdale Road
 - Eastbound through, westbound approach, and northbound right LOS E or worse in AM peak hour
 - Eastbound left, eastbound through, westbound approach, southbound through, and southbound right LOS E in PM peak
- Butherus Drive & Scottsdale Road
 - Westbound left LOS E in AM peak
 - Eastbound left, southbound left LOS E in PM peak
- Greenway-Hayden Loop & 73rd Street/Dial Boulevard
 - Overall LOS E in AM
 - Eastbound through, eastbound through/right, and westbound through LOS E in AM peak
 - Eastbound through and eastbound through/right LOS E in PM peak
- Frank Lloyd Wright Boulevard & Greenway-Hayden Loop
 - Northbound left, northbound through, and southbound left LOS E in PM peak
 - Overall LOS E in PM peak
 - Eastbound left, eastbound through, northbound through, southbound left, and southbound through LOS E in PM peak

Additional Traffic Volumes –

- Approximate increase of 3,400 vpd on Scottsdale Road (0.78 V/C)
- Increase of 3,000 vpd on Paradise Lane (0.61 V/C)
- Increase of 3,600 vpd on Dial Boulevard (0.42 V/C)

Historical Traffic Volumes – volumes in vehicles per day (vpd)

Scottsdale Road Segment	2022	2020	2018	2016	2014	2012	2010	2008	2006	2004
Thunderbird to Butherus	42,600	34,300	47,100	40,100	41,000	35,000	47,000	35,800	46,500	45,200
Butherus to Greenway-Hayden	37,200	31,900	37,900	34,100	35,700	34,300	30,900	36,400	42,600	39,500
Greenway-Hayden to Paradise	34,100	33,300	39,600	34,100	34,100	34,300	30,900	36,400	42,600	39,500
Paradise to Frank Lloyd Wright	34,600	41,500	39,300	37,400	36,300	36,600	33,700	37,000	41,600	44,100

Scottsdale Road Segment	2022	Average 2018-2004	% Change 2022 compared to average
Thunderbird to Butherus	42,600	42,213	+0.92%
Butherus to Greenway-Hayden	37,200	36,425	+0.02%
Greenway-Hayden to Paradise	34,100	36,438	-6.42%
Paradise to Frank Lloyd Wright	34,600	38,250	-9.54%

2020 traffic volumes excluded from average due to potential impacts due to COVID -19

Additional Analysis –

A traffic signal is warranted at the Scottsdale Road & Tierra Buena Lane intersection and is recommended by the report.

The intersection of Paradise Lane & Greenway-Hayden Loop meets traffic signal warrants, but the installation of a traffic signal is not recommended.

All-Way STOP warrants were not met at the Dial Boulevard & Paradise Lane intersection.

Observations:

Traffic Engineering staff made observations of traffic at the intersection of Greenway-Hayden Loop and Paradise Lane. There were a number of southbound U-turning conflicts with other turning movements at this intersection. A fatality occurred at this intersection as a result of a collision with an eastbound left-turning vehicle and a northbound through vehicle.

Summary:

A Traffic Impact and Mitigation Analysis (“TIMA”) was submitted for the project. The TIMA was accepted with minor comments. The approval of the zoning district change for the proposed mixed used development will result in an estimated 13,813 trips generated per day to and from the project site. The development is estimated to generate 960 a.m. peak hour trips, and 1,292 p.m. peak hour trips. This represents an increase of 13,363 daily trips over the existing CrackerJax site.

The intersections below will each experience an inadequate LOS for one of more movement in the 2025 study year –

- Tierra Buena Lane & Scottsdale Road (signalized condition),
- Paradise Lane & Greenway-Hayden Loop,
- Frank Lloyd Wright Boulevard & Scottsdale Road,
- Paradise Lane & Scottsdale Road,
- Greenway-Hayden Loop & Scottsdale Road,
- Butherus Drive & Scottsdale Road,
- Greenway-Hayden Loop & 73rd Street/Dial Boulevard, and
- Frank Lloyd Wright Boulevard & Greenway-Hayden Loop

Traffic Engineering staff have the following comments/concerns:

- Transportation staff has recommended that the west leg of the intersection of Paradise Lane & Greenway-Hayden Loop be restriped and signed to restrict eastbound left-turn movements based on intersection collision history and traffic observations.
- The Paradise Lane configuration should be a continuous eastbound right-turn lane ending at Dial Boulevard. The current site plan appears to show individual right-turn lanes at each access point and at Dial Boulevard.



CITIZEN REVIEW & NEIGHBORHOOD INVOLVEMENT REPORT

The Parque Scottsdale

January 26, 2023

Overview

This Citizen Review Report is being performed in association with a request for a Zoning District Map Amendment from C-4 to PCP-AMU-R PSD on an approximately 32.3+/- acre site located at 16001 N. Scottsdale Road. The proposed project would result in a new mixed-use campus consisting of a combination of office, retail/restaurant, substantial public open space, residential, and/or hotel uses. This Citizen Review Report will be updated throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a positive relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling a list of impacted and interested stakeholders and neighborhood outreach began prior to the application filing and will also continue throughout the process. Communication with impacted and interested parties has taken place with verbal, written, electronic, and in-person contact.

Community Involvement

The outreach team has been communicating with neighboring property owners, businesses, and community members by telephone, one-on-one meetings, and door-to-door outreach since July 2021. Many changes have been made to the project based on the feedback received from these communications.

Surrounding property owners, HOAs and other interested parties were notified via first class mail regarding the project. The distribution of this notification **EXCEEDED** the City's 750' radius mailing requirements as specified in the Citizen Review Checklist. This notification contained information about the project, as well as contact information for the development team. This contact person will continue to provide, as needed, additional information and the opportunity to give feedback.

The notification also contained information regarding two neighborhood Open Houses that were held on July 14, 2022 and August 11, 2022 for those who wished to learn more about the project. The site and times were posted on the Early Notification Sign prior to the Open Houses.

In total, a total of 46 interested people attended the Open Houses. Attendees were mostly supportive of the project. Questions and comments arose regarding height, traffic, open space, water sustainability, construction timing, and the closing of CrackerJax. These questions were all answered by the development team to the best of their ability.

Several neighboring property owners reached out subsequent to the Open Houses inquiring about the timetable for project approvals as they are excited about the revitalization of the existing site. The development team will continue to be accessible by phone and email to ensure that surrounding property owners and neighbors have ongoing opportunities to comment and ask questions.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely manner. Again, the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

Attachments:

Notification Letter
Notification List
Affidavit of Posting
Sign-in Sheets
Comment Cards

CRACKERJAX LAND COMPANY, LLC INVITES YOU
TO ATTEND

*an evening of
conversation about The Parque-
a transformational vision for an innovation
campus proposed for 16001 N. Scottsdale Rd.*

Join us at:

CULINARY DROPOUT in the ABSINTHE/PERALTA ROOM
LOCATED AT 15125 N. SCOTTSDALE RD. (SCOTTSDALE QUARTER)

5:00PM – 6:00PM

THURSDAY, JULY 14, 2022 **OR** THURSDAY, AUGUST 11, 2022

PLEASE RSVP BY EMAIL OR SCANNING THE QR CODE BELOW:

TheParqueScottsdale@GMail.com



Information will be available regarding City of Scottsdale Case # 620-PA-2022 which is a request for a Zoning District Map Amendment to rezone from General Commercial (C-4) to Planned Airpark Core Development – Airpark Mixed Use – Residential with a Planned Shared Development overlay (PCP-AMU-R - PSD) on the 32.3+/- gross acre site located at 16001 N. Scottsdale Road to allow for an innovative mixed-use campus including a proposed combination of office, retail/restaurant, substantial public open space, residential, and/or hotel uses.

City of Scottsdale contact is Bryan Cluff at:
480.312.2258 / BCluff@scottsdaleaz.gov
www.scottsdaleaz.gov/projects/projectsinprocess

For further information on the project, contact us at:
TheParqueScottsdale@GMail.com



SITE AERIAL



Concept Rendering

Owner	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
15450 GHL LLC	15849 N 77TH ST UNIT 1	SCOTTSDALE	AZ	85260
15955 DIAL RD LLC	15029 N 74TH ST	SCOTTSDALE	AZ	85260
16000 SCOTTSDALE LLC	16000 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
7190 EAST KIERLAND LLC	7157 E RANCHO VISTA DR SUITE 109	SCOTTSDALE	AZ	85251
7327 TIERRA BUENA LLC	6501 E EL MARO CIR	PARADISE VALLEY	AZ	85253
7363 E TIERRA BUENA LN LLC	8325 W HAPPY VALLEY RD UNIT 220	PEORIA	AZ	85383
7399 E TIERRA BUENA LLC	15029 N 74TH ST	SCOTTSDALE	AZ	85260
7434 EAST MONTE CRISTO LLC	1942 E 3RD ST	TEMPE	AZ	85281
A TO Z HOME SOLUTIONS LLC	16055 N DIAL BLVD SUITE 5	SCOTTSDALE	AZ	85260
ARIZONA STATE DEPT OF TRANSPORTATION	205 S 17TH AVE	PHOENIX	AZ	85007-3212
AX GARDSUN LP	16220 N SCOTTSDALE RD 280	SCOTTSDALE	AZ	85254
AX MAXK LP	300-360 MAIN STREET	WINNIPEG	MB	R3C3Z3
BRE/ESA PORTFOLIO LLC	100 DUNBAR ST	SPARTANBURG	SC	29306
BREUNIG INVESTMENTS LLC	4333 W KITTY HAWK	CHANDLER	AZ	85226
BRIDGE ENTERPRISES L.L.C.	601 N 44TH AVE	PHOENIX	AZ	85043
C&W GROUP LLC	301 S SIGNAL BUTTE RD	APACHE JUNCTION	AZ	85120-4501
CARMAC VENTURES LLC	19550 N GRAYHAWK DR #1102	SCOTTSDALE	AZ	85254
CMRB HOLDINGS LLC	2200 E CAMELBACK RD STE 207	PHOENIX	AZ	85016
CRACKERJAX LAND COMPANY LLC	4501 N SCOTTSDALE RD STE 201	SCOTTSDALE	AZ	85251
D&R CREATIVE L L C	11657 PARKVIEW LN	SCOTTSDALE	AZ	85255-5938
DUNBAR QV LLC	841 APOLLO ST STE 334	EL SEGUNDO	CA	90245-4722
EXCEL OWNER PROMENADE LLC	10920 VIA FRONTERA STE 220	SAN DIEGO	CA	92127
EXCEL SEARS PROMENADE LLC	10920 VIA FRONTERA STE 220	SAN DIEGO	CA	92127
FRAZZWOOD PROPERTIES LLC	16055 N DIAL BLVD 9	SCOTTSDALE	AZ	85260
GARVIN HOLDINGS LLC	8315 N SENDERO TRES	PARADISE VALLEY	AZ	85253
GS AA KIERLAND OWNER LLC	465 MEETING ST STE 500	CHARLESTON	SC	29403
HADLEY NORTH SCOTTSDALE LLC	177 WHITE PINE CANYON RD	PARK CITY	UT	84060
JJKG2 LLC	16055 N DIAL BLVD 8	SCOTTSDALE	AZ	85260
KIERLAND BUILDING OWNER LLC	16430 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
KIERLAND CENTER LLC	7157 E RANCHO VISTA DR SUITE 109	SCOTTSDALE	AZ	85251
KIERLAND SDL LP	1020 NE LOOP 410 SUITE 700	SAN ANTONIO	TX	78209
KMARK PROPERTIES LLC	15620 N SCOTTSDALE RD	SCOTTSDALE	AZ	85254
KRE DAS OWNER LLC	30 HUDSON YARDS FL 75	NEW YORK	NY	10001
LANDLORD'S R US	7435 E TIERRA BUENA LN	SCOTTSDALE	AZ	85260
LANDMARK CONDOMINIUM ASSOCIATION	7047 EAST GREENWAY PARKWAY STE 100	SCOTTSDALE	AZ	85254
LCG2MF KIERLAND LLC	3500 MAPLE AVE STE 1600	DALLAS	TX	75219
LEVINE INVESTMENTS LIMITED PARTNERSHIP	2801 E CAMELBACK RD SUITE 450	PHOENIX	AZ	85016
LMV II KIERLAND HOLDINGS LP	500 E MOREHEAD ST SUITE 300	CHARLOTTE	NC	28202
MARCY FAMILY LLC	PO BOX 25515	SCOTTSDALE	AZ	85255
MONARCH REAL ESTATE HOLDINGS LLC	31301 TRIGO TRL	COTO DE CAZA	CA	92679
MONTE CRISTO HOLDINGS LLC	3020 N SCOTTSDALE RD	SCOTTSDALE	AZ	85251
OSTASH FAMILY INVESTMENTS L L C	11083 E ARCACIA	SCOTTSDALE	AZ	85259

OSTASH HOLDINGS LLC	5827 E CAMPO BELLO DR	SCOTTSDALE	AZ	85254
PACWEST ENERGY LLC	2801 E CAMELBACK RD STE 450	PHOENIX	AZ	85016
PHOENIX 71ST STREET LLC	7157 E RANCHO VISTA DR SUITE 109	SCOTTSDALE	AZ	85251
REALTY ASSOCIATES FUND XI PORTFOLIO L P	28 STATE ST FL 10	BOSTON	MA	02109-5718
RGS INDUSTRIAL LLC	10645 N TATUM BLVD UNIT C200-531	PHOENIX	AZ	85028
ROBERTSON SCOTTSDALE 7432 LLC	3990 WASHINGTON ST	SAN FRANCISCO	CA	94118
SCOTTSDALE OWNER DE LLC	450 PARK AVE FL 9	NEW YORK	NY	10022
SCOTTSDALE PLACE LLC	5564 N 10TH STREET	PHOENIX	AZ	85014
SUNCHASER MOTOR SPORTS LLC	5565 N SCOTTSDALE RD SUITE 135	SCOTTSDALE	AZ	85250
SUNROAD KIERLAND APARTMENTS LLC	4445 EASTGATE MALL STE 400	SAN DIEGO	CA	92121
TIERRA BUENA ENTERPRISES LLC	7363 E TIERRA BUENA	SCOTTSDALE	AZ	85260
TONY AND JONNA CHRISTENSEN FAMILY TRUST/ERIK V HANSEN BYPASS TRUST	8441 N 18TH ST	PHOENIX	AZ	85020
UMB BANK ARIZONA NA	928 GRAND BLVD PO BOX 419226	KANSAS CITY	MO	64141
UNIT 10 16055 N DIAL BLVD LLC	8261 E CORRINE DR	SCOTTSDALE	AZ	85260
WRITERS PROPERTIES LLC	5539 E SANNA ST	PARADISE VALLEY	AZ	85253
Y-BUY-NEW INVESTMENTS LLC	6402 N 38TH PL	PARADISE VALLEY	AZ	85253
ZOCALLO PLAZA PROPERTY OWNERS ASSOCIATION	14300 N NORTHSIGHT BLVD	SCOTTSDALE	AZ	85260

The Parque Scottsdale
Community Input Card

PRINT NAME TOM EDLER
ADDRESS 7211 S PRINCESS #117 CITY SCOTTSDALE ZIP 85255
PHONE 602.718.8100 (M) EMAIL TOM.EDLER@CBREALTY.COM

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

INTERESTED IN A 6000-8000 SF RESTAURANT SPACE W/ FRONTAGE
ON SCOTTSDALE ROAD. PLEASE KEEP ME APPRISED OF LEASING
OPPORTUNITIES.

THANKS

Technical Solutions • 5111 N. Scottsdale Rd., Suite 260 Scottsdale, AZ 85250 • Phone: (602) 957-3434 • Fax: (602) 955-4505

The Parque Scottsdale
Community Input Card

PRINT NAME Debra London-Pfeffer
ADDRESS 18893 N. 92nd Way CITY Scottsdale ZIP 85255
PHONE _____ EMAIL debra@londonpfeffer.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

The Scottsdale area does not need more office buildings.
What we need are beautiful spaces for families
that include parks, mini-golf and outside activity.
More and more people are working from home. Encourage families
and singles to enjoy the outdoors. The mini golf was always
filled with lovely singles, couples and families.

Technical Solutions • 5111 N. Scottsdale Rd., Suite 260 Scottsdale, AZ 85250 • Phone: (602) 957-3434 • Fax: (602) 955-4505

It encouraged healthy quality time outdoors. Bring that back!

The Parque Scottsdale
Community Input Card

PRINT NAME Susan Quinn
ADDRESS _____ CITY _____ ZIP _____
PHONE _____ EMAIL SusanQuinn@q.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

It's a beautiful, thoughtful master plan that fits the needs of the airport community, which has always lacked housing, entertainment and visitor amenities. The increase in private aviation has brought new demands for these amenities in this area of Scottsdale.

Technical Solutions • 5111 N. Scottsdale Rd., Suite 260 Scottsdale, AZ 85250 • Phone: (602) 957-3434 • Fax: (602) 955-4505

The Parque Scottsdale
Community Input Card

PRINT NAME Jennifer Bongratz
ADDRESS 14747 N. Northsight Blvd # 111-431 CITY Scottsdale ZIP 85260
PHONE 602-284-9151 EMAIL jbongratz@vtcompanies.com

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

I loved Crackerjax, but it needed to be revamped.
I love your ideas of ~~turning~~ turning the property into multi-use for businesses, visitors and residents.
Especially love central park, and potential to host food/drink/concert events. Thank you!

Technical Solutions • 5111 N. Scottsdale Rd., Suite 260 Scottsdale, AZ 85250 • Phone: (602) 957-3434 • Fax: (602) 955-4505

**The Parque Scottsdale
Community Input Card**

PRINT NAME Warren Pfeffer
ADDRESS 18893 N 92nd Way CITY Scottsdale ZIP 85255
PHONE _____ EMAIL warren@factpath.net

PLEASE TELL US YOUR THOUGHTS & SUGGESTIONS REGARDING THE PROPOSED PROJECT:

Its very sad that Crackerjacks closed! More and more there are less and less fun outdoor activities for families to do together. Please build an outdoor mini golf facility as part of the new project. With all the millions to be spent on this massive project, restore something the area now lacks. Just putting in fake grass open space is not cutting it. We need outdoor culture, events, and festivals to bring people together. Human interaction. There are tons of Hotels and offices already here, we need community facilities!

Technical Solutions • 5111 N. Scottsdale Rd., Suite 260 Scottsdale, AZ 85250 • Phone: (602) 957-3434 • Fax: (602) 955-4505



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

Project Under Consideration Sign (White)

Public Hearing Notice Sign (Red)

Case Number: 620-PA-2022

Project Name: _____

Location: 16001 N. Scottsdale Road

Site Posting Date: 07/01/22

Applicant Name: Technical Solutions

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Meghan Siggitt
Applicant Signature

07/01/22
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me on 7-01-22



Marybeth Conrad
Notary Public

My commission expires: 10-25-24

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

Early Notification of Project Under Consideration

Neighborhood Open House Meeting:

Date: Thursday, July 14, 2022 or Thursday, August 11, 2022

Time: 5:00-6:00 PM

Location: Culinary Dropout (15125 N. Scottsdale Road). Absinthe/Peralta Room
Open House Contact- TheParqueScottsdale@gmail.com

Site Address: 16001 N. Scottsdale Road

Request: A request for a Zoning District Map Amendment to rezone from General Commercial (C-4) to Planned Airpark Core Development-Airpark Mixed Use - Residential with a Planned Shared Development overlay (PCP- AMU-R - PSD) on the 32.3+/- gross acre site located at 16001 N. Scottsdale Road to allow for an innovative mixed-use campus including a proposed combination of office, retail/restaurant, substantial public open space, residential, and/or hotel uses.

Applicant Contact:

John Berry
480-385-2727
info@berryriddell.com

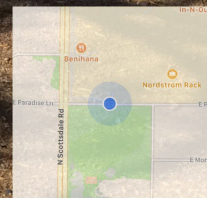
Pre-Application#: 620-PA-2022

City Contact:

Bryan Cluff
480-312-2258
BCluff@ScottsdaleAZ.gov

Posting Date: 7/01/2022

• Penalty for removing or defacing sign prior to date of last hearing. Applicant Responsible for Sign Removal. •



Jul 1, 2022 at 7:58:09 AM

Early Notification of Project Under Consideration

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John Berry
480-385-2727
info@berryriddell.com

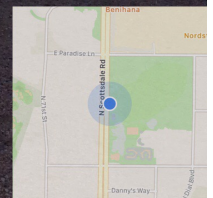
Pre-Application#: 620-PA-2022

City Contact:

Bryan Cluff
480-312-2258
BCluff@ScottsdaleAZ.gov

Posting Date: 7/01/2022

Penalty for removing or defacing sign prior to date of last hearing. Applicant Responsible for Sign Removal.



Jul 1, 2022 at 7:20:52 AM

Kurth, Rebecca

From: Tim McGough <timpmcgough@gmail.com>
Sent: Wednesday, October 25, 2023 11:06 AM
To: City Council
Subject: Proposed "The Parque" project

⚠ External Email: Please use caution if opening links or attachments!

Good Morning,

I had the opportunity this morning to sit through a presentation from the architects on this proposed project. I believe this project would be a tremendous benefit to our community. It is very diverse--business, residential, entertainment---very attractive, and well thought out from a design and water usage perspective. And the workforce housing would be invaluable.

I understand in the current environment it is easy to just vote no. But that is the easy way out and ignores the future needs of our community. Someday we will regret not approving projects like this that will reap returns for generations.


I hope and request that the entire Council will consider all of the elements of this project carefully before you cast your votes.

Regards,

Tim McGough
C) 703-307-7925
F) 480-907-7821
timpmcgough@gmail.com

Kurth, Rebecca

From: Pat Shaler <pat.shaler@gmail.com>
Sent: Friday, October 7, 2022 7:11 PM
To: City Council
Cc: Mayor David D. Ortega
Subject: The Parque @ Kierland

 External Email: Please use caution if opening links or attachments!

What a great site for an aquatic center! We do not need more people, more traffic congestion and more urban renewal projects!

Let's have a world class aquatic center - competitive swimming, platform diving, synchronize swimming, water polo, water exercises for seniors and recovery from surgeries and strokes.

Let's shoot for a better and healthier quality of life for the residents who are here!

Let's try for quality over quantity.

Send the developers packing and tell them to stop treating Scottsdale as their personal piggy bank.

Please, Pat Shaler. 480.294.1775

Kurth, Rebecca

From: Laurie Lalko <lalkoscc@yahoo.com>
Sent: Saturday, March 4, 2023 5:25 AM
To: City Council
Subject: Saying NO to The Parque 13-ZN-022 The Parque. 16001 N. Scottsdale Road

⚠ External Email: Please use caution if opening links or attachments!

Dear City Council,
Have seen the claims about what is there now and the plan. That would be a solid: NO.
We are overbuilt out here.
Traffic, especially on Scottsdale Road is NOT manageable.
Car wrecks in general vicinity are up.
We have a WATER issue and that's a LOT of people to be bringing in.
Hard to get in to doctor's now.
ER waits are ridiculous.
We are down at least 500 police officers.
Inflation is eating us alive--businesses struggling.
It's too out of whack.
There are other areas which are not so population dense which people can move to. Look at the success that Surprise became. Less than 20 years ago people were "out in the boonies" and "no one will ever move there." They are thriving.
Way too high density and we don't need all these taller buildings either.
Laurie Lalko
voter! Scottsdale resident

Kurth, Rebecca

From: JW Moldy <jwmoldy1@gmail.com>
Sent: Saturday, March 4, 2023 4:25 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Dear city counsel

We have too

Much congestion on Scottsdale road, particularly at the corner of FLW and Scott's I'm all for growth but if you go 5 miles away there's plenty of desert to grow Don't grow upward Jim Moldermaker

43 yr resident

Kurth, Rebecca

From: P Rudnick <rudnickpaula@gmail.com>
Sent: Saturday, March 4, 2023 9:21 PM
To: City Council; Mayor David D. Ortega; Janik, Betty; Caputi, Tammy; Littlefield, Kathy; Durham, Thomas; Whitehead, Solange; BG.Scottsdale@gmail.com
Subject: 13-ZN-022 The Parque. 16001 N. Scottsdale Road.

⚠ External Email: Please use caution if opening links or attachments!

13-ZN-022 The Parque. 16001 N. Scottsdale Road.

I can't believe this project is even being considered by the city council.

Don't we have enough traffic??

Haven't we stretched our city services-police-fire-etc. enough?

Where are we going to get the water for all these new people coming to the desert??

This is a NO brainer----it is NO NO NO.

Please do not let a project come to Scottsdale. Where are the wide open spaces and views and desert that Scottsdale has been known for???

Please do not do this.

Paula Rudnicka
a voting Scottsdale Resident

Kurth, Rebecca

From: Paul Lamb <plambmmm@gmail.com>
Sent: Sunday, March 5, 2023 10:37 AM
To: City Council
Subject: Parque 16001 Scottsdale Rd 13-ZN-022

⚠ External Email: Please use caution if opening links or attachments!

I am writing to encourage you to not approve the proposed development at 16001 N Scottsdale Rd. As a long time resident of Scottsdale, I believe it is time to let the infrastructure (streets, water concerns, and etc) to catch up to the recent burst of development we currently experiencing.

Thank you for your consideration.

Paul Lamb

Kurth, Rebecca

From: BARBARA RUTTI <brutti@cox.net>
Sent: Sunday, March 5, 2023 1:04 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

You are inundating our city with apartments that house thousands of people. We're tired of what you're doing to the city. Stop with the Paraque development 16000 Scottsdale Rd!!!!!!

Kurth, Rebecca

From: jhow8883@gmail.com
Sent: Monday, March 6, 2023 1:09 PM
To: City Council
Subject: FW: 13-ZN-022 The Parque. My input as a citizen of Scottsdale for 30 years

⚠ External Email: Please use caution if opening links or attachments!

From: jhow8883@gmail.com <jhow8883@gmail.com>
Sent: Monday, March 6, 2023 12:48 PM
To: :CityCouncil@ScottsdaleAz.gov
Cc: jhow8883@gmail.com
Subject: 13-ZN-022 The Parque. My input as a citizen of Scottsdale for 30 years

Good Day,

I am opposed to this density on Scottsdale Road or in this area in general. The density of this part of Scottsdale is way too tight and we have traffic and water issues already.

1 How can we had this many units when we are already at a level 2 water restriction.

We cannot sustain this.

2 Traffic is already an issue. This type of construction should be looked at for far north Scottsdale since this area is already having considerable traffic issues.

3 This will continue to hurt our tourism since we will be turning into a downtown environment with concentrations like this.

I am opposed!

Jim Howard

13462 N 93rd Place

Scottsdale AZ 85260

480-298-8883

Kurth, Rebecca

From: Deb Little <dllittle4@cox.net>
Sent: Monday, March 6, 2023 1:23 PM
To: City Council
Subject: The Parque, 16001 N. Scottsdale Road

⚠ External Email: Please use caution if opening links or attachments!

I am writing to express my concerns about the planning for the 1236 new units and retail in this proposed development.

Recently told that reductions in major throughways (Hayden Road being reduced from 6 to 4 lanes, etc.) I find this proposal includes no information about infrastructure for the additional traffic that will significantly impact an already congested area. And while our freeway system has been attempting to keep up with traffic, accidents require that we have alternative routes in the event of closures due to work or accidents on freeways. This proposal compounds an already frustrating limitation in citizens' ability to move about the area.

In addition, how - specifically - does this proposed influx of new citizens impact the water table and our projections for sustaining access to potable water for our citizens over the next 100 years? Since we are unable to continue to sell water to Rio Verde, I am expecting that we are attempting to restrict additional demand on our very precious resource. This proposal is in direct opposition to this.

Please reconsider the plans; while additional retail would add traffic congestion, it could be designed to have adequate parking and some green space for the area. This would be a more responsible approach to the water preservation desired by the citizens of Scottsdale, but would still provide some revenue growth for those with that as their focus. It's called compromise.

Deb Little

9862 E. Windrose Drive

Scottsdale, AZ 85260

dllittle4@cox.net

Kurth, Rebecca

From: Reading Teacher <mardimonillas@yahoo.com>
Sent: Monday, March 6, 2023 3:52 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

I am vehemently against the proposed condominiums in the above proposed development. Our infrastructure and water demand is not able to accommodate these at this time.

Thank you for listening.

Mary Monillas

Kurth, Rebecca

From: Jim Bloch <jgbloch@gmail.com>
Sent: Monday, March 6, 2023 4:38 PM
To: City Council
Subject: New Housing Project on Scottsdale Road

⚠ External Email: Please use caution if opening links or attachments!

There is a proposal for 1236 new units 8 Buildings from 80 feet to 119 feet tall. The City Council is interested in your feedback. 13-ZN-022 The Parque. 16001 N. Scottsdale Road.

Water crisis (swimming pools on each rooftop), affordable housing in short supply, would add significant traffic congestion, would block mountain views. Scottsdale does not need more high end apartments and condos!

Kurth, Rebecca

From: ted <ted@tkell.com>
Sent: Monday, March 6, 2023 3:55 PM
To: City Council
Cc: Mayor David D. Ortega
Subject: Future of Scottsdale

⚠ External Email: Please use caution if opening links or attachments!

Ladies and Gentlemen,

I start by identifying by what was once a courteous greeting. Yes I am profoundly conservative because that approach uses thought, good information, and reason in making public decisions. Some words far below (italics) are in part borrowed from Gail Sikes who you likely recognize as an “activist”.

I have been here in Scottsdale North of McDowell and South of Chaparral near Pima since 1966 having come here out of the Military (Ft Huachuca) and enjoying a challenging career as an Engineer with Motorola. I lived the environment of deep study, careful planning and listening to all available good information sources to make decisions that took us off this earth and even beyond this Solar System.

What I see governing the growth of this city when viewed from that perspective makes no sense at all. It ignores all history, defies the challenges of the future, and totally ignores the reasonable and sane desire of we citizens to live comfortable, safely, and reasonably stress free in our homes.

Granted, increasing density garners more tax revenue and somehow is thought to increase your stature in government but you leave those who gave you that position by working many years building our community totally out of your concerns and objectives. Perhaps you might consider the possibility that allowing some part of our city to remain “old school” and comfortable without the tense drive, stark black and white, and high stress of the world you currently seek.

Please consider the wishes of at least a few of us who came here in avoidance of the bicoastal metropolises and attempt to plan in a way to reduce traffic congestion by providing for traffic rather than making it so unpleasant the we simply cannot leave our now trapped homes. High rise and stacked box apartments are desirable to some (who I personally do not understand) so build for them in the concentrations they like and leave some parts of our old city with the open space and relaxed access we came here to live.

Gail Sikes comments which I support in fact if not in the activist wordings she uses:

Hello City Council and Mayor, I am writing again about the 'Road Diet'. This honestly feels like 'Big Brother' taking over the lifestyles of the residents without really reaching out or taking our opinions into consideration. This is Authoritarian and definitely Non-Democratic. None of us elected you to take over our lives in this way. I love the way you sit up in your gated communities up north and think of how we should live our lives, when none of you will be so drastically affected. I don't know who plans to gain from all of this, but it certainly will not be the residents. Please, at least do some reaching out to residents before making these reckless decisions, ones that you (most of you) won't have to deal with the consequences.

And please consider the plan identified below as an illustration of the thinking you support which I and many others cannot support.

13-ZN-022 The Parque. 16001 N. Scottsdale Road.

Ted Keller
8523 E Highland ave
Scottsdale 85251

Kurth, Rebecca

From: Mary Sparling <mary.sparling1957@gmail.com>
Sent: Monday, March 6, 2023 9:00 PM
To: City Council
Subject: Please vote NO - 13-ZN-022 The Parque. 16001 N. Scottsdale Road

⚠ External Email: Please use caution if opening links or attachments!

Please vote NO on the
1236 new units 8 Buildings from 80 feet to 119 feet tall (13-ZN-022 The Parque. 16001 N. Scottsdale Road).

There are plenty of existing housing options and there is too much traffic for the infrastructure. Too much demand for water that doesn't necessarily exist. Schools are overcrowded and many are going to charter leaving public education more vulnerable.

All you hear about is wildlife "threatening" humans. They have no where to go. We are in their yard, not the other way around.

Scottsdale is NOT California, that is why the Californians are coming here and trying to change this wonderful area.

Please encourage a NO vote and concentrate on filling the existing housing.

Thank you for your consideration.

Mary Sparling
5657 N 73rd Street
Scottsdale, AZ 85250

Kurth, Rebecca

From: Carolyn Kinville <jckn1746@gmail.com>
Sent: Tuesday, March 7, 2023 5:05 PM
To: City Council
Subject: 13-ZN-022 The Parque. 16001 N. Scottsdale Road.


⚠ External Email: Please use caution if opening links or attachments!

The answer is “no”. We don’t need more apartments, especially highrises with rents not affordable. We are in permanent drought.

Carolyn Kinville

Kurth, Rebecca

From: Charles Sholtis <casholtis@gmail.com>
Sent: Wednesday, March 8, 2023 6:57 PM
To: City Council
Cc: Mary F Sholtis
Subject: 13-ZN-022 The Parque. 16001 N. Scottsdale Road.

 External Email: Please use caution if opening links or attachments!

As a concerned taxpayer, please restrict the building boom and what the future impact will be upon quality of life. I am against this project.

Thank you.

Charles Sholtis
casholtis@gmail.com

Kurth, Rebecca

From: Brian Novota <bnovota@gmail.com>
Sent: Thursday, March 9, 2023 8:00 AM
To: City Council
Subject: 13-ZN-022 The Parque. 16001 N. Scottsdale Road.

⚠ External Email: Please use caution if opening links or attachments!

Council members

I am opposed to this plan due to the population density increasing in Scottsdale being on steroids. The infrastructure cannot support the rapid growth resulting in congestion, heat islands, and water consumption.

I live in DC Ranch and we were asked last fall to be good stewards in water conservation by not overseeding our lawns. The developments that are being approved in Scottsdale in warp speed underlie the hypocrisy of the Council concerning water conservation.

Please reject this proposal and preserve Scottsdale as we know it for the people that live here.

Regards,

Brian Novota

Kurth, Rebecca

From: Gulzar Sunderji <gsunderji@cox.net>
Sent: Thursday, March 9, 2023 9:03 AM
To: City Council
Subject: 13-ZN-022 The Parque. 16001 N. Scottsdale Road. Location: CrackerJax amusement park. Development of \$1B

Importance: High

⚠ External Email: Please use caution if opening links or attachments!

To all members of the City Council, the Mayor and Zoning officers of the City of Scottsdale:

Regarding the above:

Before any building permits are issued, please do, present and assess the following.

1. The traffic patterns and density consequences of this development.
 - a. should new traffic patterns and road extensions, or similar changes be required, developer to pay for ALL the same.
2. The population density that should NOT exceed the current density to ensure that property values of the current homeowners in the are not reduced. The most significant part of individual wealth is his/hers home equity.
3. The zoning change to commercial type is not such that the homeowners' equity in their homes is not reduced or destroyed.
 - a. for example: no MF tower to be higher than such height as would destroy the aesthetics and views of the surroundings.
4. The city council, Mayor and all decision makers covenant by statute that this new \$1B development will not further adversely affect the water supply and its current volume supplied to CURRENT homes in the surrounding areas and nearby communities.
5. That **each** council member, the Mayor and Zoning officers, as the case maybe, in light of their fiduciary duty to the residents and home owners of Scottsdale, present a signed affidavit stating that they have no conflict of interest, and that have received no incentives or donations for their affirmative vote for the permit grant and that they agree to a claw back of pay and benefits received during their tenure as leaders and officers of the Scottsdale City Council should such conflicts, incentives, donations be found at any later period in time.

All building and development in Scottsdale should follow procedures that are designed to maintain and elevate the reputation of the City as a most livable city, where quality of life matters, while remaining a tourist destination that brings in a lot of dollars to the city.

Sincerely

Gulzar Sunderji

Resident of Scottsdale

Kurth, Rebecca

From: Katie Klas <katieklas@gmail.com>
Sent: Friday, March 10, 2023 6:52 AM
To: City Council
Subject: 13-ZN-022 The Parque. 16001 N. Scottsdale Road.

⚠ External Email: Please use caution if opening links or attachments!

I am a long time property owner in the area of this proposed development. I want to voice my immense concern for the project.

We are running out of green spaces. We are running out of open area to see the beauty around us. We are running out of water. We have so much congestion in this area. This project would further overwhelm and already overwhelmed corridor. There are already too many high rises, too many shopping plazas in a very small amount of space right where this proposed project would go.

Please consider the implications of adding so many more buildings and people and therefore cars to this area.

We want a greenbelt system in this area. There are enough shops and living options already, we do not need anymore.


I live with my husband and 2 children in a home near 56th Street and Greenway road. We run and bike and walk in this area. It is already congested enough. We are in Cactus Glenn and our home was built in 1979. We bought it 18 years ago, because it has space between our neighbors and there were no high rises near by. The Scottsdale corridor now has more high rises it feels like, than open space. We want open space. Please deny this project. Please use this space for a park or anything that doesn't build up or add more people, more cars, more water use, more congestion of traffic and more pollution to an already over saturated area.

Sincerely
Kathleen E Klas
5725 E Justine Road
Scottsdale AZ 85254
602-377-4677

Get [BlueMail for Android](#)

Kurth, Rebecca

From: d coyan <dianecoyan@yahoo.com>
Sent: Friday, March 10, 2023 7:24 AM
To: City Council
Subject: The Parque

 External Email: Please use caution if opening links or attachments!

Hello, I am writing this text to let you know how unhappy I am about hearing about this new housing development. As a concerned citizen with the problems facing us with overcrowding, too much traffic and lack of water. Has anyone put any thought into turning already existing buildings to use as housing? I urge you to reconsider this proposal especially with the water crisis the way it is.

Thank you for your time.

Diane Coyan

Sent from my iPhone

Kurth, Rebecca

From: samm@timabranding.com
Sent: Friday, March 10, 2023 3:10 PM
To: City Council
Subject: The parque

 **External Email: Please use caution if opening links or attachments!**

Sent from my iPhone

Begin forwarded message:

From: samm@timabranding.com
Date: March 10, 2023 at 3:09:21 PM MST
To: cityscottsdale@scottsdaleaz.gov
Subject: The prague

Hello! I am a concerned citizen- there is continuous building going up in north Scottsdale and major congestion. The last thing we need is are 1200+ Units that will increase an already busy area. Respect the reason why people moved to this area—less congestion, more desert. The last thing we want is another populated Scottsdale area. Especially in a time when water conservation is on every az residents mind.

Sent from my iPhone

Kurth, Rebecca

From: John Wilmot <exeterdevelopment@earthlink.net>
Sent: Friday, March 10, 2023 3:51 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Approve it and build it but not as a rental or entry-level apartment.

Must be condos

Thanks.

John H Wilmot
602 284 6583

Kurth, Rebecca

From: Jim Bloch <jgbloch@gmail.com>
Sent: Tuesday, July 25, 2023 3:14 PM
To: City Council; Scottsdale Progress
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

<https://www.azcentral.com/story/news/local/scottsdale/2023/07/24/1-billion-project-proposed-crackerjax-scottsdale/70435033007/>

"Scottsdale Councilmember Betty Janik said she has not had an opportunity to discuss the project with her colleagues, but said she has heard concerns about the proposed building heights and the density of the project.

However, she is glad to see Kurtz is the developer behind the project."

"I know the owner is a reputable individual, and I know he wants what's best for the community," Janik said. "I hope we can come to a compromise with what the neighbors want." adding that she hoped the development could be designed to divert traffic onto other nearby streets."

HUH???? IS THAT TRULY A SOLUTION? I SAY NO, IT IS NOT!!

Ms. Janik: Why are you glad to see a billionaire Cyber Security company CEO to be the developer? Is he in fact a reputable individual? He has stated he is in it for the long run-do you know that to be true? What developer is not going to say that when he needs the Planning Commission and then the City Council's approval? He is not a developer of real estate, he will develop, build, rape the land and the neighborhood, then sell it within 2-5 years-is what developers do, especially developers who do not do this for a living, rather as investors. Check out Wood Partners sale of Alta Raintree apartments in the Kohl's parking lot, not open 2 years, and the out of town developer sells for a massive profit? Is this what Scottsdale wants (to provide the landscape for developers to come in, build, and walk within a few years?), out of towners coming in, building, then flipping. Yes, a developer will tell a gullible city council he is in for the long haul. Wanna buy a bridge to nowhere-I can find you one, or a road to nowhere-I can find you one right here in North Scottsdale-can you say Miller?

In my opinion, Scottsdale does not need this massive water consuming, blocking of (mountain) views, adding to air and ground pollution, significantly increased traffic, destruction of open space, adding to the already existing heat island, as in more steel, glass, concrete (taking of open space). Yes, **more building = hotter days and hotter nights**. You can check out that correlation online in a number of places.

I urge the members of OUR City Council to listen to the citizens on this one, and then move forward. I urge the members of OUR City Council to reject approval of this planned development. Another council I believe turned down Jerry Collangelo and his partners years ago with development plans for this property, and He truly is a local, who does not have the reputation nor the history of "flipping", rather he has shown his interest in this community in many ways for a very long time, and IMO, has been good for this community.

JUST SAY NO !!

Jim Bloch

Kurth, Rebecca

From: Caroline Bissell <battybissie@gmail.com>
Sent: Saturday, October 14, 2023 8:39 PM
To: City Council
Subject: the parque 13-zn-2022

⚠ External Email: Please use caution if opening links or attachments!

dear council members,

after living on scottsdale road since 1974, i have watched the traffic increase exponentially. this development is incredibly massive and will bring traffic to a standstill. the increased 35' height is unnecessary and once again destroys more views of our beautiful mountains. for a city facing water issues how can you even consider this at all? 786 TREES is the bonus by which you are mesmerized? you have already given up so much of our green space. why does every existing space have to be filled with tall, dense buildings?

PLEASE VOTE AGAINST THIS DEVELOPMENT

CAROLINE BISSELL
7231 e cactus wren rd
scottsdale, az. 85250

Kurth, Rebecca

From: Les Sarantinos <55cccw@gmail.com>
Sent: Sunday, October 22, 2023 1:10 PM
To: City Council; protectscottsdale@gmail.com
Subject: Stop the Parque project

⚠ External Email: Please use caution if opening links or attachments!

I'm appealing to the Scottsdale town council and planning commission to re-evaluate and vote NO on the Parque project scheduled on the vacant Cracker Jacks site.

786 trees to be planted will not suffice the grid lock, water supply, and overall esthetics of Scottsdale....forgot to mention, the additional 35 feet in high requirement....bad call. Save face, do the will of your constituents ...AND VOTE NO.

Les Sarantinos
11028 E Ajave DR
Scottsdale AZ 85262

408/687-8999

Kurth, Rebecca

From: cathie ernst <caternst@cox.net>
Sent: Sunday, October 22, 2023 1:15 PM
To: City Council
Subject: The Parque'

⚠ External Email: Please use caution if opening links or attachments!

Dear City Council,

Here we go again. Another high density project 10 stories!!!! Scottsdale is already Over Built and the traffic just gets worse. Why don't you let the massive building already done in Scottsdale be absorbed before you cater to developers and more developments that are really ruining Scottsdale.

Just to be clear as residents and tax payers we are against this development.

Sincerely,
Cathie Ernst
Michael Weiner
36452 N. 105th Place
Scottsdale AZ 85262

Kurth, Rebecca

From: Sally Bamonte <srbamonte@cox.net>
Sent: Sunday, October 22, 2023 2:11 PM
To: City Council
Subject: NO! To Parque

⚠ External Email: Please use caution if opening links or attachments!

Please NO. We did not elect you to ruin our beautiful city. We elected you to protect us from government overreach.

Please do not approve this construction request. We do not want high rises or increased traffic.


Do not make us another Los Angeles.

Please vote NO!

Sally Bamonte

Kurth, Rebecca

From: Barbara Dickerson <jdickerson6@cox.net>
Sent: Sunday, October 22, 2023 8:54 PM
To: City Council
Subject: The Parque - Vote no


 External Email: Please use caution if opening links or attachments!

First the nine-story Optima apartments already approved, now 10-story apartment buildings within walking distance. How does that make sense? Current area residents are already overwhelmed by the traffic. If we keep going at this rate, Scottsdale will no longer be a tourist destination and snowbirds will go elsewhere.

John and Barbara Dickerson
Scottsdale

Kurth, Rebecca

From: Andrea <aw12rf8@cox.net>
Sent: Sunday, October 22, 2023 10:28 PM
To: City Council
Subject: Parque

 External Email: Please use caution if opening links or attachments!

Dear City Council Members,

Please deny the developers of The Parque to construct such a monstrosity in our town. It has a scope that will greatly diminish the quality of life for us residents. How can you even contemplate such a travesty with the economy as it is?

Please reject the proposal for this dastardly project.

Thank you for your attention to this matter.

Andrea A. Wargo, Ph.D.

Kurth, Rebecca

From: DAVID S <sauerpd@msn.com>
Sent: Monday, October 23, 2023 7:07 AM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

To many cars on Scottsdale Road now. Please do not allow The Parque to go forward.

D and P

Kurth, Rebecca

From: mclamneck <marianneaz@protonmail.com>
Sent: Monday, October 23, 2023 2:51 PM
To: City Council
Subject: VOTE NO ON THE PARQUE!

⚠ External Email: Please use caution if opening links or attachments!

Dear City Council Members,

I urge you strongly to vote NO concerning the project, The Parque. The quality of life has deteriorated tremendously during the last 15 years that we have lived in Scottsdale. Our town cannot withstand the traffic and disturbance this project will bring, let alone the eyesore of having such tall buildings. It is our understanding that Scottsdale, especially North Scottsdale has the goal of maintaining less congested feel, and that the Scottsdale City Council embraces that since it is the desire of the residents, who voted you in. PLEASE represent us in that manner, and reject this proposal.

Thank you,
Marianne Lamneck

Sent with [Proton Mail](#) secure email.

Kurth, Rebecca

From: Renee Osterhoudt <jrna1@me.com>
Sent: Monday, October 23, 2023 3:12 PM
To: City Council
Subject: The Parque

 External Email: Please use caution if opening links or attachments!

Is this affordable housing ? And r u blocking the mountains and the beauty with the height of this building. I have not noticed any beautiful multi family residents or affordable housing for young adults -fees will be too high let's keep some younger people in scottsdale and lower the height of this and make it affordable to those that make 35,000 a year especially if this is what the investors need to build to get rich in Az. Also fees need to be less than 200 for Hoa and include water sewer trash and maintenance.

Sent from my iPhone

Kurth, Rebecca

From: Raymond Black <cjblack06@yahoo.com>
Sent: Monday, October 23, 2023 3:18 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Please vote NO on this project. Raymond Charles Black, 16593 N. 105th Street, Scottsdale, 85255

Kurth, Rebecca

From: Renee Osterhoudt <jrna1@me.com>
Sent: Monday, October 23, 2023 3:18 PM
To: City Council
Subject: Parque Scottsdale

⚠ External Email: Please use caution if opening links or attachments!

Make small single family homes and affordable not 1,000,000 houses but maybe like 400,000 3bd 2 bath homes 1500 square feet instead of ugly condo buildings there are enough of those and it is only good for the person who owns the building and collects the hoa fees that are not great for anyone residing there. Use some original thinking and limit condo blight and don't block the beauty in Az with ten story buildings. Ughh someone should come up with a better idea for housing but investors will get rich. Best regards and I hope you like living in a condo it is not my preference to see condos everywhere Sent from my iPhone

Kurth, Rebecca

From: Kathleen Fischer <katcfischer@gmail.com>
Sent: Monday, October 23, 2023 3:26 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Please do not approve this project! This would make traffic unbearable and would change the nature of our city in an undesirable way.

Please refrain from pursuing this project!

Kathleen Fischer
10260 E. White Feather Lane
Scottsdale, AA 85262

Kurth, Rebecca

From: mary boncher <marybbw@gmail.com>
Sent: Monday, October 23, 2023 3:59 PM
To: Jim Talbot,
Cc: City Council; Tom Sinyard,
Subject: Re: The Parque

⚠ External Email: Please use caution if opening links or attachments!

I agree with you completely!
Mary

On Sun, Oct 22, 2023 at 8:03 PM Jim Talbot, <jr31talbot@gmail.com> wrote:

Please Don't!

Ten story buildings in Scottsdale will destroy the ambiance - the sense of place - that makes our town what it has been and almost still is.

The issue is not whether "growth is good" or that this will bring in more tax income, but whether we should keep the character of the city that makes it what it is or change it into something else.

Don't approve this.

Jim Talbot

Kurth, Rebecca

From: Kevin McCarthy <kjmduke@aol.com>
Sent: Monday, October 23, 2023 4:00 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Please vote NO on the Parque. Too much traffic and its just getting worse. Kevin McCarthy

Kurth, Rebecca

From: lehmn66@aol.com
Sent: Monday, October 23, 2023 4:34 PM
To: City Council
Subject: The Parque project

⚠ External Email: Please use caution if opening links or attachments!

Once again we are amazed at what the City Planning Commission has approved for the city of Scottsdale. If the Parque project is allowed to move forward we will have gone from an open area Miniature Golf Course to a multitude of 10 stories high buildings and thousands more cars on Scottsdale road. That doesn't even take into consideration the loss of any views.

When does it end?? There are now at least three apartment projects on the Phoenix side of Scottsdale Rd that will be contributing to the traffic and human congestion of the area. Does Scottsdale feel the need to match this display of disregard for it's citizens?

I would hope that the City Council will take into consideration the detriment this project will be to Scottsdale and vote no - as many of you promised to do on these high profile /high density projects when you were asking for our votes to get elected.

Regards,

Bruce & Jane Myers

Kurth, Rebecca

From: Lizbeth Congiusti <lizbeth_congiusti@yahoo.com>
Sent: Monday, October 23, 2023 5:09 PM
To: City Council
Subject: Parque

 External Email: Please use caution if opening links or attachments!

Please don't allow this project to move forward!

More people more cars! In addition to the influx of visitors! Please don't take away or small town feel!

Lizbeth Congiusti

Sent from my iPhone

Kurth, Rebecca

From: Maureen Dubin <mrd9@cox.net>
Sent: Monday, October 23, 2023 8:03 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Please, please, please, do not vote in favor of this development. I don't know what you're trying to turn Scottsdale into; but it is certainly not the lovely community with open space that it once was (fairly recently).

The over densification, and the traffic are already choking South, and Central and Scottsdale and fast encroaching on North Scottsdale. There is already a parking problem at most commercial areas in the area in question.....adding 1200+ more residents to the area will not help this situation.

Don't believe the empty promises of developers who will plant trees and help children. I've seen growth like this directly to the north of the Fashion Square, Mall, and it is ridiculous. There's absolutely no breathing room. Instead we should be thankful for the open space we have and think of ways to use it more effectively. It is already too crowded here. We are not LA and never will be. Please leave well enough alone.

People are leaving large dense cities all over. Keep doing this and they will not come here. STOP THE INSANITY.

I'm currently facing the development of a green space across the street from my house into two new lots for houses. I can't believe people wouldn't want to maintain the open space. Don't be like this.

Maureen Dubin
9429 E Dreyfus Pl
Scottsdale 85260

Kurth, Rebecca

From: Joanne Pamperin <jpamperin@q.com>
Sent: Monday, October 23, 2023 8:08 PM
To: City Council
Subject: Parque Development

⚠ External Email: Please use caution if opening links or attachments!

I always go to the polls and vote, but does my vote really matter. I am an informed citizen. Do not go through with any more projects like The Parque Development. Enough is enough. Growing bigger is not the answer. Scottsdale is losing its charm. Slow down. Plant trees not buildings.

I thrive on beauty not buildings, concrete, cars, pollution, etc. STOP THIS SPRAWL. Put some soul back into this city.

Joanne Pamperin

Kurth, Rebecca

From: Joanne Pamperin <jpamperin@q.com>
Sent: Monday, October 23, 2023 8:11 PM
To: City Council
Subject: Parque

⚠ External Email: Please use caution if opening links or attachments!

Bad Idea plus glass buildings destroy our birds. They fly into them and die. We need their beauty and songs. STOP this insane building from going on.

Joanne Pamperin

Kurth, Rebecca

From: lbbcmpp@aol.com
Sent: Tuesday, October 24, 2023 5:27 AM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Check with Tammy about my total disappointment in the direction our city is going.
How many more zoning changes will you continue to make? Why is this viscous cycle happening?
Cities need money? Don't add more people. We don't have water. Every day an article about saving water. Do you even live here in the desert? In our towns?
Of course, my "rampage" is not directed at everyone on our current council. Some of you do fight for your constituents
Lois McGinnis

[Sent from the all new AOL app for iOS](#)

Kurth, Rebecca

From: lbbcmpp@aol.com
Sent: Tuesday, October 24, 2023 5:33 AM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Ps. Have any of you ever seen an aircraft crash into buildings ? I have (besides 9-11). It really is rather horrific.
Lois McGinnis

[Sent from the all new AOL app for iOS](#)

Kurth, Rebecca

From: Michelle DePinto <michelle.depinto@yahoo.com>
Sent: Tuesday, October 24, 2023 10:39 AM
To: City Council
Subject: The Parque - 10 stories and 1236 units (VOTE NO!)

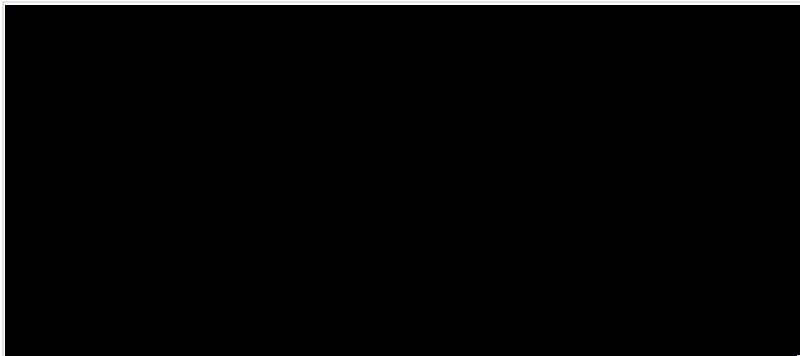
⚠ External Email: Please use caution if opening links or attachments!

Dear City Council,

I have lived in Arizona since 1992, and have been a resident of Scottsdale for most of this time. I am so disappointed that you are wanting to move forward with the construction of high rise living spaces in our town. Scottsdale is known as the "The West Most Western Town", and is always voted as one of the Best Places to live in the US. Let's keep it this way! We pride ourselves in NOT becoming a LA, Seattle, or Portland.

High density housing, not only causes more traffic, it will also lead to more accidents, homeless activity, crime etc. Here is a video showing you the real numbers on traffic and accidents. (Not the information being shared with you by the developers). [The Parque - high density project proposed for Scottsdale Road. 10 stories, 1236 units.](#)

PLEASE RECONSIDER! LET'S MAKE IT A PARK FOR KIDS AND FAMILIES . WHY NOT A FUN RECREATIONAL FACILITY FOR KIDS AND THEIR FRIENDS! LET'S DO SOMETHING WHOLESOME FOR THE GOOD OF THE COMMUNITY. PLEASE STOP THE GREED FROM THESE DEVELOPERS, AND ALL THE PEOPLE PROFITING FROM PROJECTS LIKE THIS!



The Parque - high density project proposed for Scottsdale Road. 10 stori...

Thank you,
Michelle DePinto
616-914-0678
michelle.depinto@yahoo.com

Kurth, Rebecca

From: Dean Weitenhagen <dean@fleetwoodcres.com>
Sent: Tuesday, October 24, 2023 12:28 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

With over 1000 units under construction on the Phoenix side of Scottsdale Road, you members of the council will be acting out of complete disregard for your residents.

DO NOT let this project continue.

Dean Weitenhagen

10576 E Terra DR
Scottsdale, AZ 85258

Kurth, Rebecca

From: Tony Bamonte <alterra@cox.net>
Sent: Tuesday, October 24, 2023 12:34 PM
To: City Council
Subject: No! To Parque

⚠ External Email: Please use caution if opening links or attachments!

Please NO. We did not elect you to ruin our beautiful city. We elected you to protect us from government overreach.

Please do not approve this construction request. We do not want high rises or increased traffic.

Do not make us another Los Angeles.

Please vote NO!

Best,

Tony Bamonte

Kurth, Rebecca

From: Cherie Calbom <cherie@juiceladycherie.com>
Sent: Tuesday, October 24, 2023 12:46 PM
To: City Council
Cc: Protectscottsdale@gmail.com
Subject: Parque Project on Scottsdale Road

⚠ External Email: Please use caution if opening links or attachments!

Dear Council Members,

We are totally opposed to the Parque Project on Scottsdale Road. The traffic is bad already. Lots of accidents.

We can't handle any more traffic pouring into this area.

Please vote NO.

Cherie and John Calbom

Cherie Calbom

Cherie@juiceladycherie.com

425.261.8821

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[TWITTER](#)

Kurth, Rebecca

From: carlnsarita@gmail.com
Sent: Tuesday, October 24, 2023 5:48 PM
To: City Council
Subject: Disagree with "The Parque"

⚠ External Email: Please use caution if opening links or attachments!

I strongly disagree with the proposed development called "The Parque."

Scottsdale is increasingly struggling with excessive heat from all of the pavement and loss of NAOS.

We use tons of water daily to water unnecessary plants.

The last thing Scottsdale needs is yet another housing complex causing congestion and traffic, even more pressure on the water supply, and more pavement.

We need to decrease new construction and focus on redevelopment in other areas to improve those or adjust traffic elsewhere.

Thank you,

Sincerely,

Sarita Malik Ward
831-241-3697

Kurth, Rebecca

From: mary boncher <marybbw@gmail.com>
Sent: Tuesday, October 24, 2023 9:40 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

It is appalling that Scottsdale city council members are so willing and eager to sell out the residents of Scottsdale to build yet another high density project.....The Parque with ten stories and 1236 units. The attorney for the project raves about all the trees they're going to plant but forgot to mention the traffic congestion this will create and you clowns fell for his gaslighting and approved the project.

Sadly, you are destroying the image that has been created for Scottsdale and don't seem to care about what We the People want.. Could there be a little money passing hands???

Mary Boncher
Scottsdale 85259

Kurth, Rebecca

From: jllittlercpa@yahoo.com
Sent: Wednesday, October 25, 2023 7:36 AM
To: City Council
Cc: 'JOHNNY WARE'
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

How many is enough?

The overbuilding is ruining the City of Scottsdale. Are there any limits that the city is managing to? Do measurements of the current road volume take into consideration the impact of the condos currently under construction?

This makes no sense.

Stop approving this type of development. Focus on supporting the development and the residents of Scottsdale.

Thank you.

Julie L Littler, CPA
602-469-5255

Mailing Address
8485 E McDonald Dr #303
Scottsdale, AZ 85250

Kurth, Rebecca

From: Dean Weitenhagen <dean@fleetwoodcres.com>
Sent: Wednesday, October 25, 2023 8:05 AM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

This is an obnoxious development. Oh, it's easy as th developer has done all your work. VOTE NO. There are 10,000 units under construction on the Phoenix side of Scottsdale Road. You were elected to represent your constituents. So, do it. VOTE NO.

Sincerely,

Harley Weitenhagen

10576 E Terra DR
Scottsdale, AZ 85258

Kurth, Rebecca

From: Barbra Holden <holdendesign23@gmail.com>
Sent: Wednesday, October 25, 2023 9:02 AM
To: City Council
Subject: DO NOT ALLOW "THE PARQUE" DEVELOPMENT TO PROCEED

⚠ External Email: Please use caution if opening links or attachments!

Council Members,

I've recently become aware of this project planned for Scottsdale Road. Although its developers and their attorneys promise it will have only positive impacts on Scottsdale, you've got to be kidding me that you don't see through their ridiculous claims and allow them to simply ignore the zoning limits already in place.

For what??

I would venture to say that Scottsdale residents are among the most well-educated, sophisticated people in the country, and as our representatives you too should be able to see through their ridiculous deceptions and distortions.

They're Real Estate Developers -- this is what they do!!

If you believe what these developers and their representatives are promising, you are NOT working in the interest of the Residents of the City of Scottsdale, and your naivete will not be viewed in a positive light.

Do you really want to leave a legacy as the City Council that sold out our beautiful city and its open spaces, views, and quality of life for someone's short term profit? Seriously?

Sincerely,



Barbra Holden, *Founder & CEO*
HoldenDesign



Kurth, Rebecca

From: Ignacio del Valle <iggymsg@gmail.com>
Sent: Wednesday, October 25, 2023 11:23 AM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Dear City Council,

Again we confront a developer who wants to change our zoning, and buy density in an already dense section of SCOTTSDALE. The traffic in that area is already at capacity. The old putt putt traffic was minimal and NOW a developer wants to add thousands of new cars to the traffic. Then the developer wants to buy the view of more stories. This project is terrible for Scottsdale. Are we not concerned with future water required?

Scottsdale does NOT have to house the valley with more apartments verses houses or a mix of houses and 2 story condos the we have been for decades. And the way we stay special.

I will be watching your votes so I know who to vote for next year.

Sincerely
Ignacio del Valle
9275 n. 103rd Place
Scottsdale AZ 85258

Kurth, Rebecca

From: tamediamix <tamediamix@aol.com>
Sent: Wednesday, October 25, 2023 11:58 AM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

I am not in favor of the proposed Scottsdale Parque where the old Crackerjacks is. I don't know how anyone can even think about adding 1200 additional apartments to our city when we have such a problem in our state with water. Where do you think that's going to come from?

Tracey & Jerry Anderson
10455 E. Paradise Drive
Scottsdale, AZ
602 469 3280

Sent from my Verizon, Samsung Galaxy smartphone

Kurth, Rebecca

From: Kristina Infantino <infantinok@gmail.com>
Sent: Tuesday, October 24, 2023 6:59 PM
To: City Council
Subject: Stop developing

 External Email: Please use caution if opening links or attachments!

Please stop the development of The Parque. We are deeply opposed to this development.

Scottsdale Resident,
Kristina Infantino

Sent from my iPhone

Kurth, Rebecca

From: Cussler Janet <janet@cusslermail.com>
Sent: Wednesday, October 25, 2023 2:34 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

To whom it may concern:

I am saddened that a project of this size and overreach is even being considered by the City Council. I am against the development of this area as proposed by the developer.

Janet Cussler
Janet Cussler
janet@cusslermail.com

Kurth, Rebecca

From: Roberta Vanderwalde <blvdw@aol.com>
Sent: Wednesday, October 25, 2023 4:46 PM
To: City Council
Subject: As a Scottsdale resident for 42+ years, I am so upset and discouraged with plans to further

⚠ External Email: Please use caution if opening links or attachments!

expand and impact the density of Scottsdale Rd

The Council must look clearly on the further destruction of our environment, beauty, and “ walls” of ugly high rise buildings already lining our main north-south corridor.

Do not destroy our future for monetary pressure from developers ,

As a collective voice of an elderly population filling retirement communities in our City, we strongly state our opposition to this “ Parque Project”.

Roberta Van der Walde. Blvdw@aol.com. 480 473-3424

[Sent from the all new AOL app for iOS](#)

Kurth, Rebecca

From: Regina <nycaaz65@gmail.com>
Sent: Wednesday, October 25, 2023 7:16 PM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Members of the City Council,

This monstrosity of a development should NOT be approved. If the Planning Commission thinks Scottsdale Road can handle more traffic, they have evidently not driven the road lately.

As a long-time resident and taxpayers, I resent the City Planning Commission and City Council's blatant disregard for the peace, quiet, and comfort of your current residents.


Please vote against this proposal.

Thank you for your time,

Regina Knapp

Kurth, Rebecca

From: DENISE GATELY <dgately516@me.com>
Sent: Wednesday, October 25, 2023 8:53 PM
To: City Council
Subject: STOP THE PARQUE

 External Email: Please use caution if opening links or attachments!

Please STOP all the building! We are not Vegas nor do we want to be!

Denise DiTomassi-Gately
Sent from me.com

Kurth, Rebecca

From: Sybil Goldberg <sybilg23@gmail.com>
Sent: Thursday, October 26, 2023 10:19 AM
To: City Council
Subject: I am opposed to The Parque development

⚠ External Email: Please use caution if opening links or attachments!

Please accept my definite opposition to approving The Parque development on Crackerjack's property. Our roads are already overcrowded and this would only make them worse. STOP building more housing units in this already overdeveloped area of North Scottsdale. Have you really looked at how awful these units are in our landscape? They are eyesores to our once beautiful city with rules on heights blocking views. Enough is enough. Turn your efforts to safety, school performance and reducing taxes. I will be closely following this proposal so that I will always voice a NO on any further housing developments.

Sybil Goldberg
10510 E Shangri La Rd
Scottsdale AZ 85259



Virus-free. www.avg.com

Kurth, Rebecca

From: mepaterson <mepaterson@q.com>
Sent: Thursday, October 26, 2023 11:17 AM
To: City Council
Subject: OMG Do we really have the water??

⚠ External Email: Please use caution if opening links or attachments!

Re the Parque Proposal. Do we really have enough water???

Kurth, Rebecca

From: kltterwill@aol.com
Sent: Thursday, October 26, 2023 12:28 PM
To: City Council
Subject: The Project

⚠ External Email: Please use caution if opening links or attachments!

Whatever happened to "The Wests most Western Town" and three floor building height restrictions? As well as common sense regarding our precious water resources and unrestricted traffic congestion. Apparently money! The Parque project is totally unnecessary and an abomination to North Scottsdale. Voting for this monstrosity and continued votes for more and more unnecessary apartment complexes will be the end of Scottsdale as a liveable, driveable city and travel destination. Not to mention an ugly city. A no vote is a vote to preserve what is left of our once wonderful and beautiful city. Vote NO!

Kurth, Rebecca

From: kltterwill@aol.com
Sent: Thursday, October 26, 2023 12:41 PM
To: City Council
Subject: The Parque Project

⚠ External Email: Please use caution if opening links or attachments!

Whatever happened to "The Wests most Western Town" and three floor building height restrictions? As well as common sense regarding our precious water resources and unrestricted traffic congestion. Apparently money! The Parque project is totally unnecessary and an abomination to North Scottsdale. Voting for this monstrosity and continued votes for more and more unnecessary apartment complexes will be the end of Scottsdale as a liveable, driveable city and travel destination. Not to mention an ugly city. A no vote is a vote to preserve what is left of our once wonderful and beautiful city. Vote NO!

Kurth, Rebecca

From: Mara Gilson <marasue56@gmail.com>
Sent: Friday, October 27, 2023 4:52 PM
To: City Council
Subject: The parque

⚠ External Email: Please use caution if opening links or attachments!

Scottsdale doesn't need to be any more crowded. Please vote down the Parque project . That area is extremely crowded as it is. I understand that Scottsdale and FLW is the most dangerous intersection. We don't need any more congestion!

Mara Gilson Scottsdale 85260

Sent from my iPhone

Kurth, Rebecca

From: Johnny B. Ware <jbware@aol.com>
Sent: Thursday, October 26, 2023 10:32 AM
To: City Council
Cc: julie littler
Subject: Parque Development

⚠ External Email: Please use caution if opening links or attachments!

Honorable ladies & gentlemen of the council;

I moved to Scottsdale in 1974, moving here from Texas. This city was something different than any other city i had ever been in. Beautiful Indian Bend wash, multiple parks & recreation centers. The most impressive of everything was the building restrictions that the city upheld to maintain the lifestyle that keeps Scottsdale the "West's most western town." Since the most recent elections of council members, and city mayor, this special town has headed down the path of no return!!

The traffic that is created by all the high rise development in already congested areas is beyond belief. Traffic just in my area is backed up for blocks in the morning, at noon, & especially during afternoon rush hour. That being said, we have no high-rise complexes in our immediate area.


It's time to stop patting everyone's back & signing off on these projects & start taking your voting base into consideration. If you haven't noticed, the people are sick & tired of government doing whatever they want, whenever they want.

Thank you for your serious consideration.

Johnny B. Ware
11011 N. 92nd St Unit 2076
Scottsdale, AZ 85260
602-762-6424

Kurth, Rebecca

From: Sharri Riva <skriva@cox.net>
Sent: Sunday, October 22, 2023 12:34 PM
To: City Council
Subject: The Parque
Attachments: The Parque

 External Email: Please use caution if opening links or attachments!

Kurth, Rebecca

From: Joan Ostrowski <jostrowski2@cox.net>
Sent: Saturday, October 28, 2023 8:47 AM
To: City Council
Subject: The Parque

⚠ External Email: Please use caution if opening links or attachments!

Council Members:

The projected “The Parque Project” at the former Cracker Jax Park is **ATROCIOUS!**

The height of the buildings would destroy the Scottsdale skyline and obscure the view of our beautiful mountains.

The population density is already high in this area and the traffic congestion is almost unbearable.

The proposed project will only aggravate the above conditions.

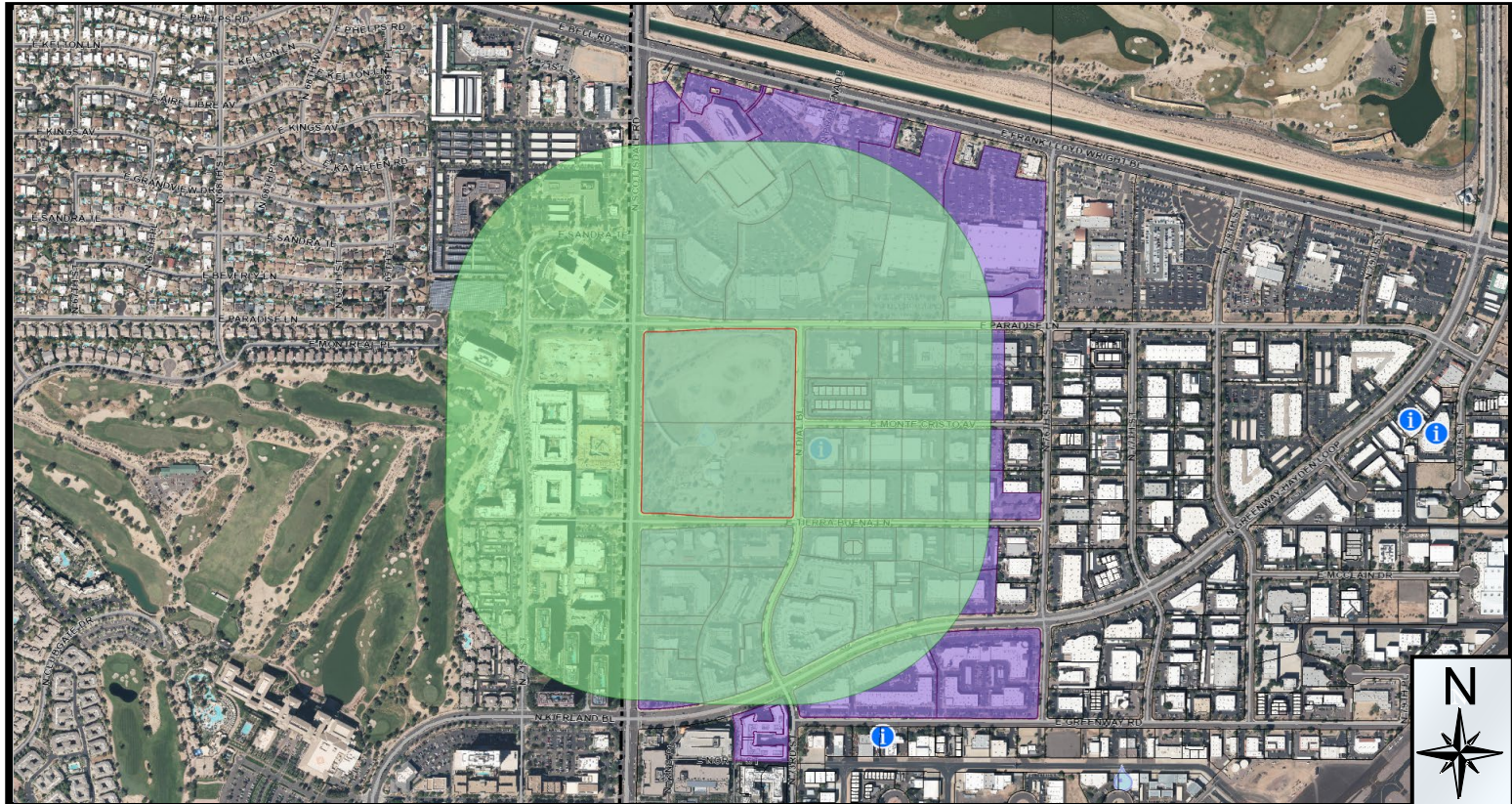
Therefore, we expect the Council to totally reject this project.

Sincerely,

Terry and Joan Ostrowski

Sent from [Mail](#) for Windows

City Notifications – The Parque


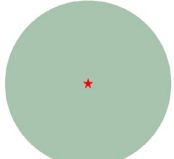


Additional Notifications:

- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Pulled Labels
September 7, 2023

Map Legend:

-  Site Boundary
-  Properties within 1250-foot

Postcards: 81

13-ZN-2022



**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, SEPTEMBER 27, 2023

***SUMMARIZED MEETING MINUTES ***

PRESENT: Renee Higgs, Chair
Barney Gonzales, Commissioner
Diana Kaminski, Commissioner
George Ertel, Commissioner
William Scarbrough, Commissioner
Christian Serena, Commissioner

ABSENT: Joe Young, Vice Chair

STAFF: Tim Curtis
Joe Padilla
Bryan Cluff
Adam Yaron
Becca Cox
Karissa Rodorigo
Jason McWilliams

CALL TO ORDER

Chair Higgs called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

1. Approval of September 13, 2023 Regular Meeting Minutes.

Commissioner Kaminski moved to approve the September 13, 2023 regular meeting minutes. Second by Commissioner Scarbrough the motion carried unanimously by a vote of six (6) to zero (0).

Attachment 13

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission page on ScottsdaleAZ.gov, search "Planning Commission"

REGULAR AGENDA

2. [13-ZN-2022 \(The Parque\)](#)

Request by owner for a zoning district map amendment from General Commercial (C-4) to Planned Airpark Core Development - Airpark Mixed Use Residential, Planned Shared Development (PCP-AMU-R PSD) including a development plan with bonus development standards for building height and floor area ratio to allow a mixed-use development with approximately 1,236 dwelling units, 223 hotel keys, and 253,000 square feet of commercial floor area on a +/- 32.29 gross acre site located at 16001 N. Scottsdale Road. Staff contact person is Bryan Cluff, 480-312-2258. **Applicant contact person is John Berry, (480) 385-2727.**

Item No. 2; Commissioner Gonzales moved, and revised by Commissioner Kaminski, to make a recommendation to City Council for approval of case 13-ZN-2022 per the staff recommended stipulations and revision to stipulation number seven (7) regarding setbacks from utilities, based upon the finding that the Planned Airpark Core Development - Airpark Mixed Use Residential, Planned Shared Development (PCP-AMU-R PSD) criteria with bonus development standards have been met and the proposed Zoning District Map Amendment is consistent and conforms with the adopted General Plan. Seconded by Commissioner Scarbrough, the motion carried unanimously with a vote of six (6) to zero (0).

3. [5-GP-2021 \(Old Town Character Area Plan Amendment - Phase 1\)](#)

Request by City of Scottsdale of a minor amendment to the City of Scottsdale General Plan 2035, by amending and updating the Old Town Scottsdale Character Area Plan. Staff contact person is Adam Yaron, 480-312-2761. **Applicant contact person is Adam Yaron, 480-312-2761.**

Item No. 3; Commissioner Kaminski moved to make a recommendation to City Council for approval of case 5-GP-2021 per the staff recommended minor amendment to the City of Scottsdale General Plan 2035, by amending and updating the Old Town Scottsdale Character Area Plan and the proposed amendment is consistent and conforms with the adopted General Plan. Seconded by Commissioner Serena, the motion carried unanimously with a vote of six (6) to zero (0).

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 7:20 p.m.